

Fayetteville Street Historic District Preservation Plan

Durham Historic Preservation Commission

and

Durham City - County Planning Department

~~Stephen Cruse~~

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Introduction

Overview

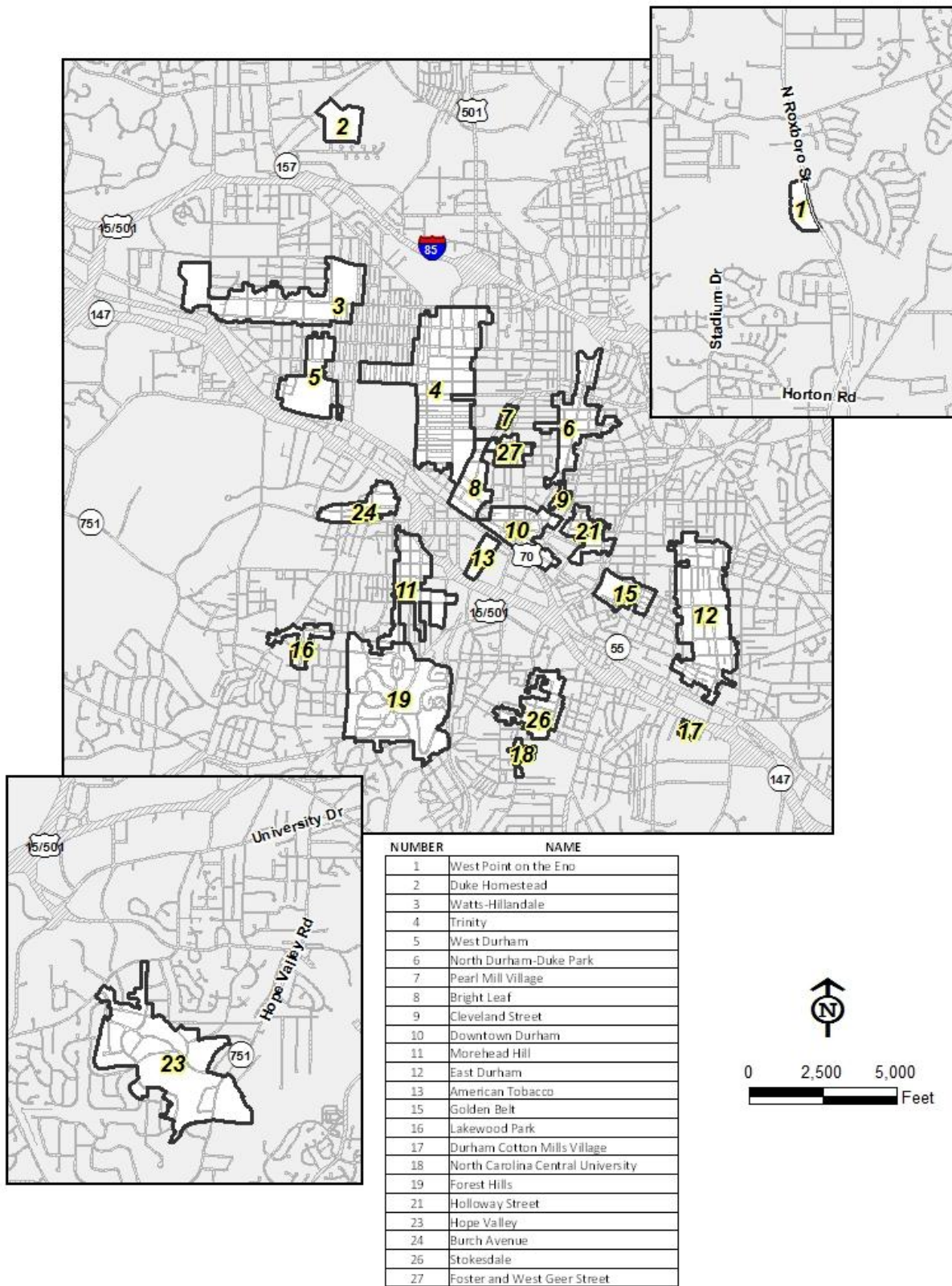
The Fayetteville Street neighborhood, as a reflection of the former Hayti area of Durham and the adjacent North Carolina Central University, is an important historic resource for our community. The neighborhood includes an eclectic mix of residential structures from the early decades of the Twentieth Century which exemplify a broad range of housing types and styles found throughout Durham and particularly those of Durham's African American community. The range of notable buildings in the area includes National Register properties such as the Scarborough House and the Stanford L. Warren Library as well as more modest homes and a number of Durham's earliest and most unique residential duplexes. The destruction of most of the Hayti community in the name of urban renewal several decades ago and the increasing development pressures on the neighborhood make historic designation and the accompanying regulations one of the last opportunities to protect this area. The designation of Fayetteville Street as a local Historic District, as suggested in the *South Central Durham Plan*, will help to preserve the architectural integrity and cultural significance of one of Durham's most important historical assets.

The Fayetteville Street Historic District Preservation Plan includes the history of the District, the need for the District, the preservation goal for the District and policies and recommendations to achieve the goal. The first section contains an overview of the Plan and an explanation of National Register Districts and local Historic Districts. The Durham Historic Preservation Commission and certificates of appropriateness are also discussed. The second section outlines the history of the area, the proposed local District boundaries and an assessment of the collected inventory data. The next section is the Historic Preservation Strategy, which examines the goal, policies and implementation recommendations for preserving the historic integrity of the District. Section four contains principles and review criteria for restoration, new construction and landscaping. This section also defines pertinent architectural terms. The Appendix includes a copy of the Historic District Overlay Zone regulations from the ~~Durham Zoning Ordinance~~Unified Development Ordinance and other reference materials.

National Register Historic Districts

Numerous properties in Durham have been listed in the National Register of Historic Places. Along with individual listings, a number of areas in Durham have been listed as National Register Historic Districts. The designation of a National Register District is an honor that recognizes the district's historic importance. The designation also means that any Federal or State funded project in the District must be reviewed to assess the project's effect on the historic area. Federal and state tax credits are also available for certain district properties. Owners of National Register properties should contact the North Carolina State Historic Preservation Office in Raleigh (919) 733-6545 for further information regarding these credits. In the future, National register status may be sought for the Fayetteville Street area; however, the purpose of this document is to designate the area locally. Map 1 shows the National Register Historic Districts in Durham.

Map 1: National Register Districts Boundaries



Local Historic Districts

The local Historic District Overlay Zone was created by the Durham City Council to provide a local means of protection for Durham's historic areas. This zoning classification can be applied to neighborhoods of historic importance and supplements the underlying zoning of the property. The North Carolina enabling legislation (G.S. 160A.400.1 through 400.14, Historic Districts and Landmarks) permits municipalities to create an overlay zone and a Historic Preservation Commission to review all exterior modifications, planned demolition and new construction within a local District. A Historic Preservation Plan defines a preservation strategy for a district and provides the Commission with criteria and guidelines for their review of changes in the area. In Durham, the creation of a Preservation Plan is a requirement for designation of a historic district.

Once a local district has been designated, the property owners are required to receive approval, known as a certificate of appropriateness (COA), for any planned exterior changes to their property. The COA is required whether or not a building permit is necessary. Certain changes are allowed without approval such as routine maintenance, and some other changes can be approved administratively. It is the responsibility of the Commission to grant this approval.

Historic Preservation Commission

The ~~Durham Zoning Ordinance~~Unified Development Ordinance establishes a nine member Durham Historic Preservation Commission as the review body to oversee the local historic districts in the City and County. The Commissioners, who serve overlapping terms of three years, are all required to be residents of Durham's City and County planning and zoning jurisdiction. The City Council appoints four members and the County Commissioners appoint five. The membership must include one registered architect; one realtor, developer or builder; one cultural or social historian; one lending institution representative or Attorney; and one landscape architect. The remaining five members are appointed in at-large seats. The body meets at regularly scheduled meetings on the first Tuesday of each month and for special meetings as needed.

It is the general responsibility of the Historic Preservation Commission 1) to advise the City Council or County Commissioners on the establishment of historic Districts and on their respective historic preservation plans; 2) to issue Certificates of Appropriateness for any exterior building or site modifications, new construction or demolition within local historic Districts; and 3) to educate the public about the community's historic resources and their preservation. In addition, the City Council has directed the Commission to review and advise on the historic appropriateness of rezoning petitions and other actions in National Register Districts. The Commission also may recommend to the City or County that a property be designated as a historic landmark.

City Council, County Commissioners, Durham Planning Commission, City Staff

The City Council and the Durham County Board of County Commissioners, has established the Historic Preservation Commission and will appoint new members as the present members' terms expire or if a seat becomes vacant for other reasons. The City Council applies the historic district overlay zone and adopts an historic preservation plan to designate a local historic district. Prior to Council's action on designation, the Durham Planning Commission's Zoning Committee reviews and makes a recommendation to Council regarding the designation and preservation plan for the proposed district. The State Historic Preservation Office also makes a recommendation to City Council.

The City administration, primarily the staff of the Durham City-County Planning Department, is responsible for providing staff assistance to the Historic Preservation Commission. The staff produces the preservation plans for proposed historic Districts, processes applications for Certificates of Appropriateness, maintains the City's and County's Certified Local Government status and provides the Commission and the public with technical assistance. The staff is the first contact for applicants and can assess the need for a COA or other kind of approval. Certain changes in historic districts are routine maintenance items and need no approval. Other minor alterations may be approved administratively by the designated Planning staff person. The Commission will approve a list of items individualized for each district that staff may approve administratively. Further information about the Commission, staff and regulations may be found on the Durham Planning Department's web site www.ci.Durham.us/planning/historic.html www.DurhamNC.gov.

Fayetteville Street Historic District Inventory

This section of the Fayetteville Street Historic District Preservation Plan includes the history and architecture of the District, a description of the local District's boundary, and the inventory and analysis of the District today.

History of District

Early History

No history of the Fayetteville Street area could be complete without a look at the people and events that shaped the City of Durham and, particularly, downtown and Hayti. From the 1840's, when Dr. Bartlett Durham built his estate in what is now Durham's central business district, until the early years of the twentieth century, Durham experienced rapid growth. The completion of the North Carolina Railroad Company line in 1854 provided the means for Durham's agricultural and manufactured products to reach both ends of the State. A steady growth in population and buildings for the area accompanied the railroad. By 1860, an academy, a hotel, stores trade shops, saloons, and several tobacco factories were scattered in and around present-day downtown Durham. Farming was the primary use of the remainder of land around downtown Durham, including the area that soon became known as Hayti. Early owners of this land included Malbourne Addison Angier who was a partner of Dr. Durham in a general store in downtown and who later was elected as a Durham magistrate.

The Civil War curtailed any new growth temporarily, but the hamlet of Durham was already established and provided the foundation for future growth. Although Durham saw no direct military action during the Civil War, the end of that war can be credited for the remarkable growth that followed. The surrender at Bennett's Farm (west of Durham) of the North Carolina troops brought numerous Union and Confederate soldiers to the hamlet. J.P. Green's tobacco factory, previously built and owned by R.F. Morris and located on land purchased from Dr. Durham, provided a diversion for the numerous troops waiting for the terms of surrender to be negotiated. The soldiers returning home spread the word about the quality tobacco they found in Durham. Soon, tobacco orders came to J.P. Green from all over the reunited nation, and the growth of his company set the stage for Durham's development as a major agricultural and manufacturing town.

Durham was incorporated in 1869, and the years that followed brought phenomenal growth to the City. New factories, commercial enterprises and public institutions began to supply the demands of the stream of new residents. The population of Durham sprang from

200 in 1869 to 2,000 in 1880 and doubled to 4,000 in 1890. During the post-Civil War years, the people who would shape the future of the City opened businesses and built their homes in Durham. Along with the shop owners, merchants and tobaccoists who made Durham their home, laborers were coming to the new city as well. The birth of the area known as Hayti began after the war, around the time of Durham's incorporation as a result of the jobs being created. Hayti was the black settlement that arose southeast of Downtown and just outside the City limits. It was generally located along Fayetteville Street from Pettigrew Street to Umstead Street on the south. After the Civil War, a number of cities and towns had commercial and residential areas, which were predominately black oriented. The name "Hayti" became a generic term for these areas for mapmakers of the era, even when another name existed. The Hayti area of New Bern, North Carolina is an example of this. Perhaps this is why Hayti became the official name of the area in Durham, which in the early decades of the Twentieth Century became the center for black capitalism in the south. Theaters, hotels, a hospital, educational facilities and the accompanying commercial uses were all ultimately part of the Hayti community. In the earlier years, Hayti developed along with the creation of several important institutions that helped solidify the community.

Churches have long played a cultural and social role along with their spiritual one in black communities, and two early churches were at the center of Hayti society. It was also in 1869, the year of Durham's incorporation, that St. Joseph's A.M.E. Church was organized and helped the formation of the Hayti community. The Rev. Edian D. Markum (later the spelling of his name was changed to Markham) began the church, first known as Union Bethel, with a handful of men. They made a purchase of the land owned by Minerva Fowler at the northern end of Fayetteville Street. A "brush arbor" shelter built on this land served as the first sanctuary until a more permanent log house was constructed. It was in this structure that Reverend Markum opened (and taught) the first black school in Durham, setting the stage for the educational heritage of this area that culminated in the establishment of North Carolina Central University. Early members of the church included John Merrick – founder of North Carolina Mutual Insurance Company and Dr. Stanford L. Warren.

The existing St. Joseph's building and adjoining complex, now known as Hayti Heritage Center, was constructed at 804 Fayetteville Street on the prominent site of the original brush arbor. The St. Joseph's A.M.E. Church building represents one of Durham's finest architectural landmarks, and it is indicative of the rich history of Hayti and Fayetteville Street. The congregation, which now was headed by Reverend George Hunter, outgrew their earlier buildings and began the construction of this structure in 1891. Those who donated to the fund to build the church included Washington Duke and Julian S. Carr. Also, it is believed that Duke was responsible for retaining the noted Philadelphia architect Samuel Linton Leary to design and supervise construction of the structure. Leary was the architect who designed the main building for Trinity College (Duke University), and who built his own home in East Durham at 809 Cleveland Street (Leary-Coletta House). Brick makers, Richard Fitzgerald and his brother Robert supplied the bricks for the monumental church building. Richard Fitzgerald was one of the earliest black businessmen in Durham operating out of his brickyard just north of Lyon Park and south of the Duke East Campus. As his business grew, he became the preeminent brick maker in all of Durham.

St. Joseph's A.M.E. Church's 1891 building was placed on the National Register of Historic Places in 1976. The style of the building, as noted in the National Register nomination, is "Richardsonian Romanesque" with Gothic and Neoclassical architectural elements. The most prominent detail is the church's tall, square tower with a pyramidal spire that rises above all other structures in the area. Other important features include the stained glass windows, including two with images of Washington Duke and Julian S. Carr, and the cast iron finial at the top of the spire. The interior features a dramatic pressed tin ceiling and

an elaborate pipe organ. The congregation moved to another facility in 1975, and the building was saved and renovated through the St. Joseph's Historic Foundation. As indicated in the National Register nomination report, the building was a center in the Hayti community that "contributed significantly to commercial, cultural and educational life of blacks in North Carolina and the South". It remains today as the last authentic physical reminder of early Hayti.

While St. Joseph's grew and increased in importance in the community, another church followed a parallel path. White Rock Baptist Church began in 1866 (this date is found throughout church literature, in contrast to other sources which suggest 1875) with services conducted by Reverend Samuel Hunt in the home of Mrs. Margaret Ruffin Faucette. Mrs. Faucette was credited with giving the first dollar for a new building fund. The first building constructed to provide a new home for the church was a small frame structure once located at Pettigrew and Coleman Streets. It is believed that this building, no longer standing, was constructed in the late 1870's. In the 1896, White Rock Baptist Church moved to a new building at the intersection of Fayetteville and Mobile Streets, and again, Washington Duke was a major contributor. This building and its one thousand-seat sanctuary served the congregation until their current facility at 3400 Fayetteville Street (south of the Fayetteville Historic District) was constructed in the 1970's. White Rock Baptist Church was the home church of numerous influential citizens in Durham including Charles Clinton Spaulding and Dr. Aaron M. Moore executives of the North Carolina Mutual Life Insurance Company. N. C. Mutual continues today as the largest black-managed financial institution in the world. Dr. Moore also served as the superintendent of White Rock Church's Sunday school for twenty-five years.

Aside from prominent business and institutional leaders, the laborers and artisans who settled in Hayti helped to create the Hayti community that flourished in the latter part of the century. A number of craftsmen were notable in these early years of Hayti. Richmond Allen, for example was an early carpenter who was responsible for constructing many of the earliest houses in Hayti. It is known that Allen was building homes in Hayti as early as 1880, including the construction of his own home at 703 Grant Street in what was then the central part of Hayti. Another prominent carpenter was Wesley G. Thompson who worked for contractor Herbert Smith who was also responsible for a number of buildings in Hayti.

The earliest settlers were renters; however, land ownership shortly after the Civil War became an option for blacks in Durham. The land along Fayetteville Street and throughout the community was rapidly being purchased from the previous white owners after 1869. The former farming land was just outside the City limits of Durham and provided a convenient and relatively inexpensive area for the construction of homes for the labor force needed to work in the tobacco factories and related industries. Former slaves were drawn to the area to build their homes. Jean Bradley Anderson in her book *Durham county: A History of Durham County* recounts how many of the early land purchasers along Fayetteville Street were slaves from the Cameron plantation in northern Durham County. They included Charles Amey and his son Monroe Jordan, David Justice, Jasper Jones, and Cornelius Jordan. It was on Jordan's 100 by 150 foot lot at Pettigrew and Coleman Streets that White Rock Baptist Church built its first building. Another black landowner was John O'Daniel who was a slave of the Carr family. O'Daniel purchased his land on Fayetteville Street in 1877 and lived there for the remainder of his life.

As the community and the churches were growing in these years preceding the turn of the Century, the Hayti commercial area was rapidly expanding. However, little is known about the earliest commercial establishments compared to records of the churches. Fayetteville Street was a prominent ridgeline in Durham, and it was the logical area in the

community for businesses to locate. The earliest known commercial operations were generally found north of St. Joseph's Church and consisted of a number of frame buildings. These buildings, as shown on early insurance maps, were typically one-story tall included a grocery and millinery shop as well as saloons, boarding houses and assorted other small establishments. In addition, around the turn of the Century, a two-story Masonic Hall was constructed. This hall later became the Electric Theater and still later the Rex Theater. The remainder of central Hayti at that time was generally residential units, and these were primarily rental units. The better Fayetteville Street sites were reserved for the more prominent homes. One such home was that of Dr. Aaron Moore (Durham's first black pharmacist) which was built around 1900 at 606 Fayetteville Street. This Victorian home, and several others nearby, was among the more elaborate residences of both white and black business leaders in Durham at the end of the Nineteenth Century. Unfortunately, these homes were destroyed during the urban renewal projects of the 1960's along with most of Hayti. The new century brought dramatic change and growth to the area around the Fayetteville Street Historic District as well as the rest of the City of Durham.

1900 to 1920

The dawn of the Twentieth Century brought with it the continued expansion of the tobacco empires of Durham, an increasing number of new businesses, and rapid growth in population. Hayti and Fayetteville Street were finally annexed into the City limits in 1901, and the stage was set for a flourishing of the neighborhood. Its growth paralleled that of the western areas of the City, a boom time that resulted from economic actions taken in the 1890's. It was in 1892 that Benjamin Duke, George W. Watts and William Allen Erwin began an operation, which would dramatically increase jobs and the need for housing west of the City. Erwin Cotton Mills began operation in 1893; by the end of the century, around one thousand workers were operating the state-of-art machinery. The mill produced muslin for tobacco pouches initially; however, it was soon the south's first producer of denim. Before the mill was in operation, the company had begun construction of a vast mill village west of Broad Street and adjacent to the Trinity Heights neighborhood. By 1900, West Durham, as the area is known, included approximately 440 houses for the workers as well as many privately built homes. The success of the mill also spurred development of the commercial areas around Ninth Street. Development was also ignited in the eastern portions of the City in a similar way in the early years of the new century.

The North Carolina Life Insurance Company was actually opened for business in 1898 by seven men. The company was chartered by special legislation as the State's only black-owned insurance association. The first year was traumatic for the company, and it was reorganized in 1900 with John Merrick and Dr. A.M. Moore remaining as the last of the original seven partners. They hired C.C. Spaulding as general manager. The company prospered beyond all expectations and ultimately N.C. Mutual became the largest black-owned financial institution in the world. The company's influence, which continues today, has forever been melded into Durham's economic, social, educational and political history. The company expanded in the early years and began to invest in real estate, particularly in the areas around Hayti. The result was that the men who had built their fashionable home on Fayetteville Street were now buying adjacent land and developing the area for investments. For example, part of their business was the recycling of building materials from the demolition of older buildings. Rental residential properties, where recycled materials were primarily used, as well as commercial enterprises were being built throughout minority areas, including Fayetteville Street, with Mutual's expansion into real estate. This was a major catalyst that spurred the continued development of Hayti and particularly the residential portion of the Fayetteville Street Historic District.

The further actions of these black entrepreneurs and the continued monetary support of the Duke family and George Watts also helped set the stage for other improvements in the area. Dr. Moore founded Lincoln Hospital in 1901 on Proctor Street, with help from John Merrick and Dr. Stanford L. Warren. Dr. Moore served as the first superintendent (1901-1923). The building came about because of the need for health services for black citizens of Durham and through Dr. Moore's successful efforts to convince George Watts (whose own hospital excluded blacks) that black doctors needed a place to practice medicine. Watt's original idea had been to add a wing for blacks to Watts Hospital in west Durham, but Moore convinced him of the need for a separate hospital. Benjamin and James Duke built the Proctor Street hospital at the urging of Watts, and ground was broken on July 4, 1901. Dr. Moore, who received his medical degree from Shaw University in Raleigh in 1887, hired Patricia N. Carter as head nurse. She also handled bookkeeping, office administration and was the anesthetist. A plaque was placed in this building by the Dukes, which read "With grateful appreciation and loving remembrance of the fidelity and faithfulness of the Negro slaves to the Mothers and Daughters of the Confederacy...". The relatively small, frame structure served the basic medical needs of the black community in the early years. Within a few years of opening, the building had a wing added to train black nurses. Many of the doctors, nurses, nursing students, and workers lived in the neighborhood surrounding the hospital, and other support businesses arose in the area.

The hospital structure, which had helped to bring growth to Hayti, became totally inadequate in size to handle the population of the area by the mid 1910's. In the 1920's, a massive fundraising campaign, headed by the Duke, Watts, John Sprunt Hill and others, resulted in the 1924 facility that stood at 1301 Fayetteville Street. This facility replaced the earlier building and served the community until the 1980's when it was also replaced. The original building was purchased by the Daisy E. Scarborough Home Foundation to house Durham's first nursery school for black children. J.C. Scarborough founded this organization in memory of his wife. The 1924 building for Lincoln Hospital was designed by the renowned architectural firm of Milburn and Heister who also designed the Union Railroad Station (destroyed in the 1960's), the Durham County Courthouse and other prominent buildings and homes in Durham. The three-story, brick building featured a simple, plain façade with a Neoclassical, two-story portico at the entrance. George Watts and John S. Hill donated the four-acre site for the building; that once had been a part of the Thomas and Lucy Stokes estate. Lucy was the sister-in-law of Washington Duke. The location of Lincoln Hospital and the services that it offered for almost a century, helped to stabilize and establish the Fayetteville Street neighborhood in the early years of this century.

Another factor that helped the area grow after the turn of the century was the same one that sparked the creation of the community after the Civil War – jobs. Just as the former slaves came to the City to work in tobacco factories after the war, more blacks came to the City of Durham to work in the new factories as well. Increasingly more employment opportunities were opening up for black citizens at the beginning of the century. Julian S. Carr in 1903 leased the building complex located at the intersection of E. Pettigrew and Dillard Streets. After demolition and additions, the complex opened in 1904 as the Durham Hosiery Mill No. 2. The importance of this development is that it was established as a factory that would have primarily black labor. The factory became the first successful factory in the nation to have black machine operators. Julian Carr took a chance since a similar operation, Coleman Manufacturing Company, went bankrupt in Concord, North Carolina around the same time. Carr hired John O'Daniel (early Fayetteville Street landowner and former Carr slave mentioned above) to recruit blacks to work in the factory. The factory started with fifty workers and expanded to around 4,000 in 1919. At that time, it was the world's largest producer of cotton hosiery. The jobs offered by this and the other factories and mills such as

Golden Belt and Pearl Mill in east Durham helped to make Hayti and the Fayetteville Street community one of the more prosperous black areas in the State. The hosiery mill closed in 1929, and the building later served as Service Printing Company.

It was shortly after the turn of the century that the residential area of Fayetteville Street began to develop to its full potential. The earliest housing type in the district after the Victorian era was typically two-story and boxy in form. These were usually the homes of the local businessmen who owned commercial enterprises in Hayti. The Frederick K. Watkins House located at 1218 Fayetteville Street is a surviving example. This double-pile form house was built around 1915 for F.K. Watkins. Mr. Watkins owned the Rex and Wonderland movie theaters in Hayti. A wildly popular person in the community, he was known for staging pageants and parades at his theaters and around the town. His wife was an educator in the local school system. The house features weatherboard siding on the first floor and cedar shingles on the second. Another feature is the porte cochere, which is one of several found along Fayetteville Street from this early period. Local tradition says that Watkins was the first in the community to own an automobile, and the presence of the early porte cochere tends to support that claim.

The J.L. Page House located at 1304² Fayetteville Street typifies another common style of home in the neighborhood at this time. The one-story, “L” shaped home is typical of small homes throughout Durham in the first two decades of the century. The home features a tall gable-end roof with front gable ell. A near full-façade porch is its primary feature. The Pages were the proprietors of J.L. Page’s and Sons’ Grocery, located on the adjacent property at 1304². The store has been in operation for nearly seventy years. Other houses of similar style and age are also located in the same block at 1216 and 1222 Fayetteville Street, however the house at 1216 has now been demolished. All three of these homes are typical of the rental units that were built by N.C. Mutual and others in the early part of the century. The house at 1222 was built as a duplex, which further indicates the rental aspect of this part of the neighborhood. The vast majority of the earlier homes north of this block were lost to the urban renewal project in the 1960’s, discussed in more detail later in this document.

Unquestionably, the most architecturally significant home on Fayetteville Street is the Scarborough House. Located at 1406 Fayetteville Street, the Scarborough house was constructed prior to 1914 as the home for John Clarence (J.C.) Scarborough, Sr., founding partner of Scarborough and Hargett Funeral Home. He also served on the first board of the Mechanics and Farmers Bank (founded in 1908). Later he served on the boards of St. Joseph’s and Lincoln Hospital, and as discussed earlier, he founded the first nursery school in the community. When he built his home on Fayetteville, Street, he chose to use recycled materials. As discussed earlier, John Merrick and North Carolina Mutual had been using recycled materials from homes across Durham to build rental properties throughout Hayti. When the Frank Fuller House located on E. Main Street at the Roxboro Street intersection was dismantled to make way for a Masonic temple and theater, parts of the structure and interior details were used in Scarborough’s new home. Frank Fuller served as a State legislator (1883 N.C. House of Representatives), and his home was one of Durham’s largest and most elaborate.

The Scarborough House is striking in its scale and details for its site on the western side of Fayetteville Street. The Neoclassical style, two-story frame box with attached rear ell and full basement, is situated on a lawn that indicates the former fashionable landscaping. The largest southern magnolia tree in the area is located on the front lawn, and other large trees and shrubs contrast with the plainer lawns that compound porch. A well-proportioned, two-story, central portico with a flat roof supported by twin Doric columns overlaps a full-

façade, one-story front porch that also displays Doric columns. The roof of the lower porch has a single-bay balcony with a matchstick railing. As noted in the National Register nomination for the home, a number of furnishings and details such as the dining room chandelier were purchased by the family in the late 1920's from the auction of contents from Julian S. Carr's elaborate home, Somerset Villa.

By 1910, Hayti was for all practical purposes fully developed and the move to develop south of Umstead Street intensified. The Scarborough House was just one of a number substantial homes that were built on this prime area of Fayetteville Street. Prior to 1910, the land south of Umstead was a tobacco field owned by J.N. Umstead who lived at 503 Holloway Street in the house built by his mother's family, the Mangums. That house today is a bed-and-breakfast called the Booming Garden Inn. One of the earliest homes in this area still standing in the District is the Pratt House at 1614 Fayetteville Street. Originally, consisting of three rooms and one-story tall in circa 1910, it was expanded to two stories in the 1920's. The Pratt's were one of the two earliest land-owning black families in Durham. Charles Pratt was the first to live here, arriving sometime around 1870. He owned a grocery and meat market in Hayti near the original Lincoln Hospital at his earlier home. Another prominent home in this area of the District, though altered in the 1960's by added stucco and Perma-Stone, is the Dr. Napoleon Mills House located just across Simmons Street from the S.L. Warren Library.

Dr. Mills began practicing medicine in Durham in 1907 and had his home constructed in the late 1910's at 1211 Fayetteville Street. Dr. Mills held a number of positions with N.C. Mutual, Lincoln Hospital and other organizations as well having his own medical practice. Dr. Mills' home is indicative of the finer dwellings found throughout both black and white neighborhoods in Durham at that time. The two-story house features a tall pyramidal roof with pediment-topped bays, which have the affect of breaking the boxy form of the structure. The roof itself is covered in slate shingles and includes decorative metal cresting along the ridgelines. A wrap-around porch features box posts which are supported by cut granite plinths. The porch terminates on the southern side with a porte cochere like the previously discussed Watkins House. Style and details of the home closely resemble those found on the nearby house located at 1217 Fayetteville Street, and most likely, the same contractor built the two. The prominent location of Dr. Mill's house on a corner lot helps to enhance the fine qualities of the structure, and it has been a visible landmark for the community over the years.

All during the first two decades of the century, Hayti prospered and new businesses arose. The focus of much of Hayti, and the economic underpinning of this wave of success was entertainment. For example the Electric Theater, owned by F.K. Watkins, opened in the former lodge hall on Fayetteville Street. Other venues for entertainment opened as well including dance halls. By the second decade, Hayti was the vaudeville center of Durham and drew white patrons as well blacks from around the area. Other businesses arose around the larger operations. Connie A. Harris opened and operated a billiard hall in the 700 block where there were at least ten other businesses in operation by 1910. A pharmacy developed in the area by 1915. John Pearson opened the pharmacy with his wife Malevia. Mrs. Pearson, who was known as "Miss Dye", was one of the first female pharmacists licensed in the state of North Carolina (1911). The Pearsons and Connie Harris purchased homes adjacent to each other in the 1200 block of the street.

Another institution that would bring major changes to the neighborhood began operations during this period. In 1909, Dr. James E. Shepard began construction of the National Religious Training School and Chatauqua, which ultimately became North Carolina Central University, one of the major institutions of higher learning in the State. The story of

this institution is centered on that of its founder. Dr. Shepard (1875-1947) was raised in Raleigh by his minister father, Dr. Augustus Shepard. James Shepard graduated from Shaw University in 1894 and received his pharmacy license. He then moved to Durham where he worked in a drug store for ten years. It was in 1905 when he became the Field Superintendent for the International Sunday School Board that his interest in education expanded. This job took him to black communities all over the South where he saw first hand the iniquity of education for blacks. In 1909 he decided to found a school for to train black ministers and to provide a high school education for others. His promotion of this dream convinced the North Carolina General Assembly to grant a charter on June 28, 1909 for the creation of the non-sectarian National Religious Training School and Chatauqua for the Colored Race.

On June 30, 1909, Dr. Shepard purchased four blocks of Fayetteville Street, which is today the main campus of the University. According to news accounts Brodie Duke and the Durham Merchants Association donated half of the land. Traveling for the next several months throughout the eastern United States, Dr. Shepard raised enough money to construct his campus. Four frame buildings and a brick auditorium were begun in November of that year, and by the time the school opened in July 1910, the campus had men's women's dormitories, a dining hall, a classroom building and an administration building to accompany the auditorium. The school opened that year with ninety students, fifty of which lived on campus, and a staff of fifteen. Initially classes were offered in three levels – college, high school and even grammar school. The grammar school, which continued until 1918, was needed because of the number of students who only had an elementary education. The next decade saw mounting financial problems for the school with Dr. Shepard having to spend most of his time raising money.

In 1923 a decision was made to sell the school to the state of North Carolina. The school was renamed the Durham State Normal School and was the fifth such institution for blacks in the state. Dr. Shepard was made the principal of the school. Meanwhile a movement was beginning to create the state's first liberal arts colleges for blacks. 1925 was a watershed year for the school. In January a fire destroyed three of the original buildings on campus, and in February the state chose the campus as the site of the North Carolina College for Negroes. A building boom on campus began with state and private moneys creating many of the buildings that we see today. Ultimately the college grew to become North Carolina Central University in 1969. Three years later it became one of the sixteen campuses making up the University of North Carolina system. The growth of the school and later the University had a major effect on Fayetteville Street.

1920 – 1940

During the 1920's, the population of the Fayetteville Street community grew at a rapid pace along with the rest of Durham. Durham's population rose from 200 in 1869 at incorporation, to 10,000 in 1890 to over 34,000 by 1920 and 50,000 by 1930. In 1920, black citizens represented 35.2% of the population within the City – 11,900 people. Hayti was increasingly a bustling area of the City with a respected hospital, a number of growing churches, major educational facilities and a booming real estate market. Sanborn Insurance Company maps from the era indicate that hotels, boarding houses, restaurants, shops, grocery stores and other businesses lined both sides of Fayetteville Street during this period. "King" Watkins built his new Wonderland Movie Theatre in 1920, and several other theaters and performance venues were present at that time.

New public buildings and projects were also constructed throughout the City to accommodate the needs of the increasing population. For example, the brick, two-story building on Umstead Street opened in 1922 as Hillside High School (in 1950 this school traded buildings with Whitted Elementary School on Concord Street). George Watts Carr, Sr, designed the W.G. Pearson Elementary School, which was also constructed on Umstead Street in 1928. Also by 1924, the previously discussed new Lincoln Hospital building opened and created more job opportunities and the need for more residential units in the area. Street and sidewalk improvements were taking place in the area as well. Fayetteville Street north of Umstead was paved for the first time around 1920. The portion south of Umstead was also paved around 1924, but street lighting was not in place until around 1926 south of Umstead Street. This new lighting was suspended on wires at the center of intersections, and lights for pedestrians were not used. According to the City's annual report in 1928, the portion of Fayetteville Street inside the City limits had all of its sidewalks paved in 1927. Prior to this time, sidewalks were only paved in limited areas along the street.

It was also during this period that public transportation became more available, particularly in East Durham. The Durham Traction Company began to institute bus service on Fayetteville Street for the first time in 1928. The only public transportation available in the vicinity prior to 1927 was the trolley, also operated by the Durham Traction Company, which came to East Main Street in the nearby Edgemont community. The trolley ran to downtown and west Durham to the various factories and shopping areas. The bus service, however, had a much larger impact on Fayetteville Street. It offered citizens around the City an easier access to Lincoln Hospital and the College. It was also around the late 1920's that Fayetteville Street finally became a throughway without stop signs impeding the main arteries at intersections below Umstead Street. Prior to this time, stop signs had forced stops on Fayetteville Street, and various side streets had the right-of-way. The City made it a priority throughout its jurisdiction at this time to make access easier into and through Durham, and Fayetteville Street was deemed an important gateway. Once the stop signs were moved to the side streets, traffic flowed more freely along the corridor, and it gave easier access to the businesses and institutions along the throughway.

Hayti was at its height of activity during the 1920's and 1930's. The area along Fayetteville and Pettigrew Streets was basically a twenty-four hour business district with establishments of various types that drew a diverse clientele. Black youths had corner drug stores and candy shops to frequent, and their mothers had grocers, dressmakers and hairdressers. Restaurants and shops in the area known as "Mexico" along Pettigrew Street also flourished and provided a direct link to Downtown. Some of these businesses in Mexico were Greek and Jewish owned. One of the oldest traditions of Hayti was the emphasis on music, and establishments catering to that audience also flourished. Hayti resembled black entertainment districts of much larger cities in the country, and people came to Durham simply to attend performances. This draw even continued during and after the depression. Many of the blues music greats from the 1920's and 1930's had their start in Hayti including Blind Boy Fuller (Fulton Allen). He recorded along with others for James B. Long of Durham who built a recording studio here. This studio produced the earliest recordings of Hayti musicians. The recording industry was making vast improvements in quality at this time and helped to start the commercial decline of Hayti. The quality of newer records was so good that by the late 1930's, live entertainment in Hayti, as in the rest of the country, was slowly giving way to the jukebox also known as piccolos.

Building in the district at this time was primarily residential. Larger homes were giving way to more compact dwellings called bungalows, which were becoming the standard style throughout Durham. Two particularly good examples of this style are located on Fayetteville Street. The Harris-Ingram House and the John Pearson House located at 1213 and 1215

Fayetteville Street are Craftsman Style bungalows that have a high degree of original details. Both houses were constructed in 1921 from mail order designs and building packages from Sears, Roebuck and Company. Sears sold their homes through catalogues in the early decades of the century throughout the country. The complete packages of drawings and building materials (plumbing, wiring, lumber, bricks, shingles, etc.) would be shipped to the site, and the owner could have Sears build the structure or he could have others construct it. The two homes on Fayetteville Street are believed to be the last of several homes from the company remaining in Durham. The Craftsman Style detailing of the homes include front gables, decorative shingle siding on upper levels and sawn work. The John Pearson House is the most elaborate of the two and features a second floor balcony.

The bungalows were not the only modest homes to be built in this period. By the 1930's the English Tudor Cottage style was becoming more popular in the area. Two good examples are the homes located at 2006 and 1603 Fayetteville Street. Both feature a steeply raked, irregular roofline and utilize brick and stone to accentuate details of the form. Two other interesting examples are located at 1605 and 1607 Fayetteville Street. Both of these homes are duplexes, which became very prevalent in the neighborhood during the late 1920's and 1930's. Duplexes helped to provide the housing needs associated with those who worked at the hospital and the college. These two duplexes are among the more interesting due to the attempt to make them more detailed and thus "fit in" better with the neighboring structures. Their style is reflective of the English Cottage Style home next door at 1603 Fayetteville Street. The duplex located at 1607 Fayetteville Street is particularly interesting with its entrances and stone surrounds and its central decorative brick chimney with stones interspersed. The other interesting features are the tall, pediments above the entrance with applied half-timbering.

While more modest types of homes were the norm for the area, two notable exceptions were built at this time. In 1923 a fund drive was begun by friends of the National Religious Training School to raise money to construct a home for the president of the school. J.B. Morgan of Citizens Bank headed the fund drive and within a few years (1925), funds were sufficient to build the unique house located at 1902 Fayetteville Street. Dr. James Shepard was the first occupant and the home remains as part of the NCCU campus today. Reflecting the earlier Prairie style, which was more popular in the Midwest, the house is sheathed in a light colored brick veneer. Its Prairie style features include low rooflines, long and deep overhangs and emphasis on horizontal lines. The property is a contributing building in the NCCU National Register Historic District. The other major house from this time was the Dr. Charles H. Shepard House, which is one of the largest in the district. Dr. Shepard who was a noted physician at Lincoln Hospital built the late 1920's structure. His home is unique for its size and the use of brick in this neighborhood. The home is eclectic with Mission style detailing. Along with the tapestry brickwork, the parapets and central dormer are the most striking details and reflect the quality of the design and construction.

As 1940 approached, the last of the major, historic building projects in the district took place. The Stanford L. Warren Library opened its doors in 1940. Located at 1201 Fayetteville Street, the building stands as one of the major landmarks in the neighborhood, reflecting much of the history of the area. Dr. Aaron Moore's 1913 Sunday School library at White Rock Baptist Church was the forerunner to this institution, which is the second oldest black library in North Carolina. The community in the 1930's outgrew the previously mentioned second building at Pettigrew and Fayetteville Streets, which had been mostly funded, by Moore and John Merrick. In the late 1930's the Durham architect, Robert R. Markley was hired to design a new library on land donated by Dr. Stanford L. Warren. Dr. Warren also served on the library board from 1923 until the opening of the new building which was given his name. The building is a fine example of Classical Revival style. Its

most prominent feature is the applied temple-like front entrance, which includes a simple surround with pilasters topped by a simple entablature and false pediment. The symmetrically placed arched windows and the Palladian windows on the side elevations further distinguish this building.

Late History

Over the last sixty years, Fayetteville Street has seen many changes; however the overall character and spirit of the district remains intact. During the World War II years, Hayti began a second boom time. Soldiers came by busloads from Camp Butner for recreation, from 1941 through end of the war, and Hayti provided various kinds of activities - including illegal ones. The movie theaters, dance halls, and “juke-joints” of Hayti were dealing with overflow conditions and shops were bustling. Unfortunately, with the soldiers came alcohol-related crime, and Hayti began to suffer from a new negative image. Police reports from the period indicate that Hayti had a dramatic increase in crime. Fights and destruction of property were the most prevalent disturbances. Still, these turbulent years gave new life to the economy of the area, and business owners were generally pleased, but attitudes about Hayti changed for the worse. The area became a place that respectable black and white citizens would not frequent under most circumstances. Some of the “mom and pop” shops were able to survive, but the entertainment venues, which had helped define the area, rapidly declined and closed their doors after the war. This deterioration of Hayti foreshadowed its ultimate destruction.

In 1958 the City created the Durham Redevelopment Commission to undertake a series of projects under the umbrella of Urban Renewal. Urban Renewal was a national trend, and it was played out in Durham until Hayti no longer existed. The Commission and the City proposed a bond issue of over 8 million dollars to complete seven projects. A slim majority approved the bonds, and the wheels were set in motion that would ultimately damage Hayti irrevocably. While the plans called for a renewal of the area for the benefit of everyone, the plans never came close to the expected goals. Reasons given for the destruction of the area included the run-down conditions of businesses and housing and their affect on surrounding neighborhoods like those north of Umstead Street. The proponents of the project felt that demolition of the area would open a vast area for new and better development to help blacks and whites, and they noted that most businesses in the area were just struggling to survive – notable exceptions being Service Printing Company and the *Carolina Times*. The result of all of this was the destruction of all of Hayti by the late 1960’s. Businesses and residences were destroyed. All that was left was St. Joseph’s Church, just barely saved with the actions of the St. Joseph’s Foundation. Instead of creating a renewed Hayti, the acts resulted in a blighted area that still displays its scars today.

Fortunately, the areas south of the destruction have remained, and that is the reason this local historic district designation is proposed. The housing in the area still reflects the names of the people who shaped this area. The economic hardships of the community over the years have meant that the historical integrity of most structures remains. The only major missing structure in the district today is the 1924 Lincoln Hospital building. Moreover, renovations undertaken by the City in the 1980’s and 1990’s have saved the integrity of two of the more important structures; St. Josephs and the S.L. Warren Library. To further help protect the area; the City completed the studies and National Register nominations for the two buildings plus the Scarborough House and the campus of North Carolina Central University. All were placed on the National Register of Historic Places, an honor that offers a degree of protection. The locally designated historic district will help to solidify the community and offer the highest available protection for one of Durham’s most valuable areas.

Boundary Description

The Fayetteville Street Historic District boundary (see Map 2) is based on the assessment of the historic fabric of the neighborhood. The boundary generally includes those properties facing Fayetteville Street between Umstead Street on the north end and to Nelson Street on the south end. The main campus of North Carolina Central University is excluded. The back property lines of the parcels are the east and west boundaries. ~~The following 90 parcels, referenced by tax map numbers, are located within the boundaries of the Fayetteville Street Historic District:~~

- ~~2100 block (even)~~
- ~~170 - 1 - 6, 7, 8, 9, 10, 11, 12 & 13~~

- ~~1800, 1900, 2000 blocks (even)~~
- ~~182 - 1 - 8, 9, 10, 11, 12 & 13~~
- ~~182 - 3 - 9, 10, 11, 12, 13 & 14~~
- ~~182 - 4 - 9, 10, 11, 12 & 13~~
- ~~-~~
- ~~1500, 1600, 1700 blocks (odd)~~
- ~~184 - 2 - 2, 3, 4, 5, 6 & 7~~
- ~~184 - 4 - 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10~~

- ~~1600, 1700 blocks (odd)~~
- ~~184 - 9 - 11, 12, 13 & 14~~
- ~~184 - 10 - 8 & 10~~
- ~~184 - 7 - 9, 10, 11, 12, 13 & 14~~

- ~~1200 block (odd)~~
- ~~192 - 4 - 1~~
- ~~192 - 5 - 1, 2, 3, 4, 5 & 6~~

- ~~1300 block (odd)~~
- ~~192 - 9 - 7~~

- ~~1400 block (odd)~~
- ~~192 - 12 - 1 & 1A~~
- ~~192 - 12 - 2 & 3~~

- ~~1200 block (even)~~
- ~~193 - 1 - 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 & 23~~
- ~~_____~~
- ~~1300, 1400, 1500 blocks (even)~~
- ~~193 - 6 - 8, 9, 10, 11, 12, 13, 14, 15 & 16~~
- ~~193 - 5 - 14, 15, 16 & 17~~

Map 2: Local District Boundaries

Historic Inventory and Analysis

In 1999, the Durham City-County Planning Department completed a survey and inventory of the Fayetteville Street neighborhood. A study area was designated which included several National Register properties and the surrounding lots. An inventory data form was completed for each property, including historical, architectural, and landscape information. Photographs were also taken of the properties in the neighborhood.

The survey information was used to analyze the attributes and needs of the historic area and to establish the final boundaries of the local Historic District. This section of the Preservation Plan addresses the existing conditions which make up the Fayetteville Street Historic District. The section is divided into six subsections: Criteria, Significance, Building Conditions, Architectural Styles, Landscaping and Signage, and Present Zoning.

Criteria

It is important to establish clear criteria for judging both the significance and condition of structures within the Fayetteville Street Historic District. The following terms are used in this Preservation Plan to measure each property's historical significance and condition. Further architectural terms are defined in the Principles and Review Criteria section. The following significance terms are based on historical, architectural or cultural merit:

~~“P” **Pivotal:** Those properties, which are unique, or are the best examples of the qualities that make up the district.~~

“C” Contributing: Those properties that contribute to or support the qualities that make up the district.

“NC” Non-Contributing: Those properties which do not contribute to the District; however, these properties may do so in the future with alterations or age.

~~“I” **Intrusive:** Those properties that have a negative impact on the integrity of the district.~~

The following terms relate to the physical condition of the properties:

~~“E” **Excellent:** Those properties that exhibit outstanding visual and structural condition.~~

~~“S” **Sound:** Those properties that exhibit good visual and structural condition (may need minor cosmetic repairs or maintenance).~~

~~“M” **Marginally Deteriorated:** Those properties that exhibit fair or poor visual and structural condition (may need moderate repairs and maintenance).~~

The list in Figure 1 includes all of the existing primary structures that are located in the local district boundaries. The geographical distribution of historic significance and building conditions are shown on Maps 3 and 4.

| Figure 1: Fayetteville Street Property Data | | | |
|---|--|----------------|----------------|
| Street Number | Date | Significance | Condition |
| 1201 | 1928 1940 | PC | S |
| 1202 | Vacant | -- | -- |
| 1204- 1206 | 1960 -ca. 1971 | IN | S |
| 1208 6 | c. 19 20 15-ca. | C | MD |
| 1208 | Vacant | -- | -- |
| 1210 | Vacant | -- | -- |
| 1211 | 1915 -ca. 1917 | C | S |
| 1212 | c. 19 65 70-ca. | IN | S |
| 1213 | 1921 | C | S |
| 1215 | 1925 4 | C | S |
| 1216 | 1915 -ca. Vacant (demo '09-'10) | --G | --S |
| 1217 | 1915 -ca. 1921 | C | S |
| 1218 | 1915 -ca. c. 1900's | C | S |
| 1219 | 1915 -ca. 1923 | C | S |
| 1220 | 1940 -ca. 1966 | GN | S |
| 1222 | c. 1915-ca. | C | S |
| 1223 | c. 1920 ca. | C | S |
| 1224 | 1940 -ca. 1913 | C | S |
| 1228 | Vacant | -- | -- |
| 1300 | 1950 ca. | NE | S |
| 1301 | 1982Vacant | N- | S- |
| 1302 (House) | 1935-ca. | C | S |
| 1304-1304½ (Grocery) | 1935-ca. | C | S |
| 1305 | Vacant | -- | -- |
| 1306 | c. 19 50 35-ca. | C | S |
| 1308- 1310 | c. 1970 ca. | NE | SE |
| 1400= | c. 1970 ca. | NC- | S- |
| 1401 | Vacant | -- | -- |
| 1405 | Vacant | -- | -- |
| 1406 | 1910 3 | PC | SE |
| 1407 | 1928 1935 | C | MDS |
| 1408 | 1920-ca. | C | S |
| 1409 | c. 1930-ca. | C | S |
| 1410 | c. 19 20 30-ca. | C | MDS |
| 1501 | c. 1915-ca. | C | S |
| 1502 | 1918 c. -1925-ca. | C | MDS |
| 1503 | 1915 -ca. 1918 | C | S |
| 1504 | 1940 -ca. 1920 | C | MDS |
| 1505 | 1915 -ca. 1920 | C | S |
| 1507 | 1915 -ca. 1925 | C | S |
| 1509 | 1920/70 | NC | S |
| 1508-1510 | c. 1955-ca. | IN | S |
| 1512 | 1930 -ca. Vacant | C-- | S |
| 1520 | 1980 | IN | E |
| 1601 | 1920 ca. | C | S |
| 1603 | 1930 -ca. 1935 | C | ES |
| 1605 | 1930 -ca. 1936 | C | MDS |

| | | | |
|--------------------|--|--------------------|----------------|
| 1607 | <u>1930-ca.1935</u> | C | S |
| 1608 | <u>19191925-ca.</u> | C | MDS |
| 1609 | c. 1915- <u>ca.</u> | C | S |
| 1610 | <u>1915-ca.1926</u> | C | S |
| 1611 | <u>19131921</u> | C | S |
| 1612 | <u>1915-ca.1922</u> | C | S |
| 1613 | <u>19121921</u> | C | S |
| 1614 | <u>1900/1920c. 1920's</u> | C | S |
| 1615 | <u>1915-ca.1921</u> | C | S |
| 1616 | c. 19 <u>1050</u> <u>ca. (1950 addition)</u> | IN | S |
| 1617 | c. 1915- <u>ca.</u> | C | S |
| 1619 | 1915 | C | S |
| 1622 | c. 19 <u>1030</u> - <u>ca.</u> | C | S |
| 1702 | 1920 ca. <u>1922</u> | C | S |
| 1704 | 1920 ca. <u>1915</u> | C | S |
| 1706 | c. 1920- <u>ca.</u> | C | S |
| 1708 | c. 193 <u>0</u> - <u>ca.</u> | C | S |
| 1710 | 1916 | C | S |
| 1712 | <u>Vacant 1915-ca.</u> | --G | --S |
| 1802 | 1915 ca. | C | S |
| 1804 | 1915 ca. | C | S |
| 1806 | 1915 ca. | C | S |
| 1808 | Vacant | -- | -- |
| 1810 | Vacant | -- | -- |
| 1812 | Vacant | -- | -- |
| 1850 | 2005 <u>1999</u> | N | E |
| 1902 | 1925 | <u>PC</u> | SMD |
| 1904 | Vacant | -- | -- |
| 1906 | Vacant | -- | -- |
| 1908 | Vacant | -- | -- |
| 1910 | Vacant | -- | -- |
| 1912 | <u>Vacant1942</u> | --C | -- |
| 2002 | c. 1930- <u>ca.</u> | C | S |
| 2004 | <u>1921c. 1930</u> | C | S |
| 2006 | 1925 | C | S |
| 2008 | <u>1940-ca.1950</u> | C | S |
| 2010 | <u>1970-ca.1957</u> | -NG | S |
| 2111 | Vacant | -- | -- |
| 2115 | Vacant | -- | -- |
| 2100 | <u>1930-ca.1938</u> | C | S |
| 2104 | <u>1930-ca.1940</u> | C | S |
| 2106 | <u>1930-ca.1933</u> | C | S |
| 2108 | <u>19351940</u> | C | S |
| 2110 | <u>1940-ca.1948</u> | C | S |
| 2112 | <u>1940-ca.1941</u> | C | S |
| 2114 | <u>1930-ca.1935</u> | C | S |
| 2116 | <u>1940-ca.1933</u> | C | S |
| 415 Dunstan Avenue | 1974 | N | S |
| 405 Linwood Avenue | Vacant | -- | -- |
| LEGEND | | | |
| P=Pivotal | | E=Excellent | |

C=Contributing

NC=Non-contributing

I=Intrusive

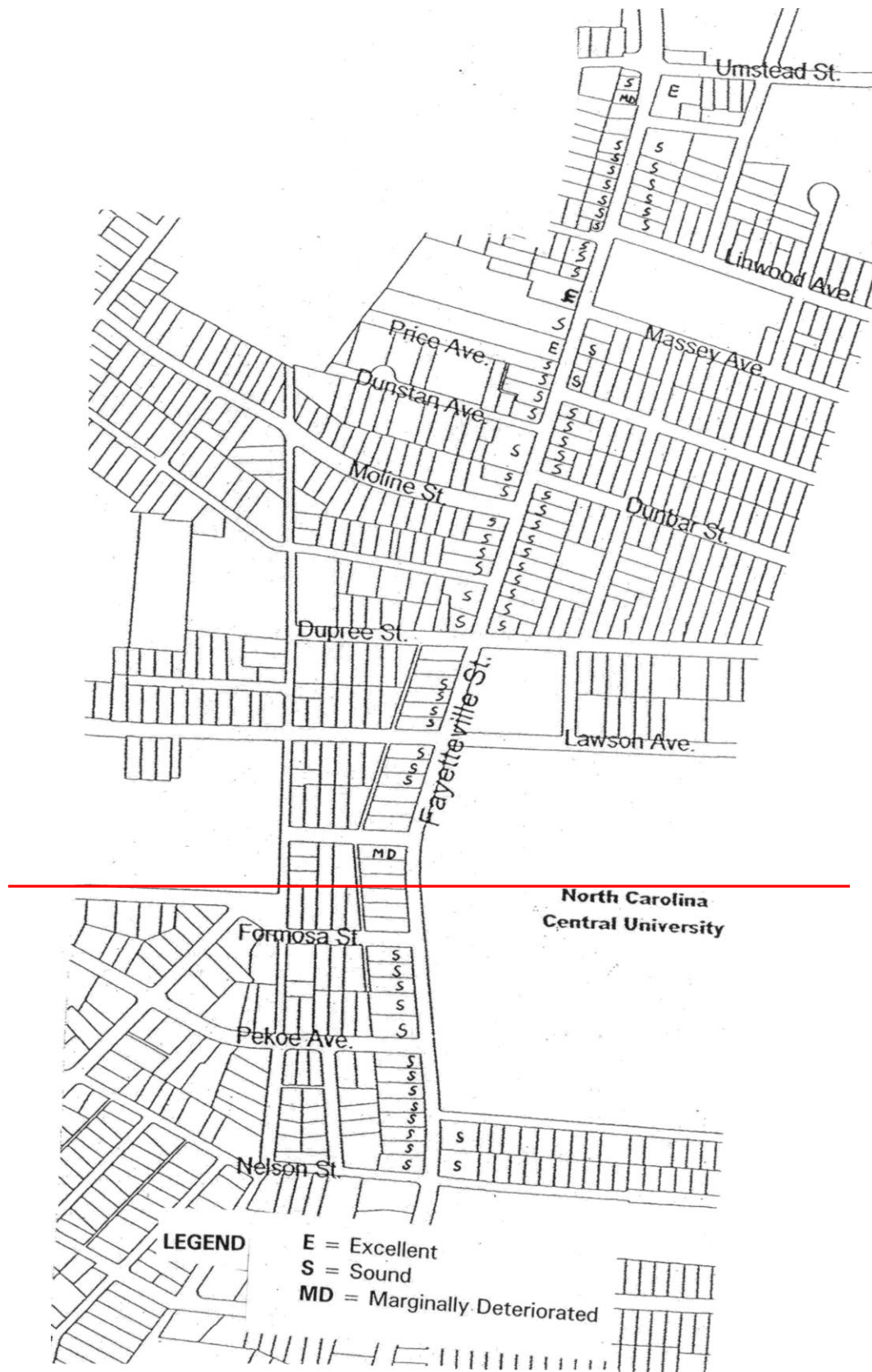
S=Sound

MD=Marginally Deteriorated

Map 3: Architectural Significance



Map 4: Building Conditions



Significance

Figure 1 and Map 3 show the dates and architectural significance of all the structures within the local historic district. These rankings and construction dates help to determine the existing historic fabric of the overall district. From the chart and map, we learn that the Fayetteville Street Historic District contains seventy-five structures plus twelve vacant sites. Only four intrusive structures and five non-contributing buildings are contained in the district. Two pivotal and sixty –four contributing buildings make up the rest of the district. The historic significance of the District is further accentuated by the fact that nearly 85 percent of the primary structures were constructed between 1910 and 1945, and over sixty percent were constructed before 1925. While many of the properties have undergone major changes over the years (aluminum and vinyl siding, window alterations, etc.), the properties have retained a significant amount of their original character.

~~*Building Conditions*~~

~~Figure 1 and Map 4 also show the relative building conditions of all structures within the District. The building condition rankings are of major importance for the protection of a district's historic resources. Nearly all properties in the Fayetteville Street Historic District are listed as sound or excellent which indicates generally good property maintenance. While much of the neighborhood is made up of rental properties, such as the numerous duplexes, the overall condition of the structures is good. Part of the reason is that other residents of the street and community own a number of buildings. The number of owners who reside outside the area is relatively low compared to the rest of Durham. Although Fayetteville Street displays a great deal of care on the part of property owners, two homes are moderately deteriorated and a number of homes have been destroyed by the University within the last year and replaced with a parking lot. Also, a number of homes have received extensive alterations which have resulted in the loss or replacement of historic fabric. The local historic district status for this valuable area is being implemented to slow this deterioration and to protect this historic part of Durham.~~

Architectural Styles

The Fayetteville Street Historic District displays an interesting mix of architectural styles. While no specific style is dominant in the district, certain trends are evident. Traditional house forms with applied neo-classical details are prevalent. Many of the earlier homes were two-story with hipped roofs and classically inspired detailing, for example. Other single story homes feature variations of gable roofs. The most interesting styles found in the neighborhood are the handful of English Cottage Style homes and even duplexes appear in this form. The Craftsman Style bungalow is also represented in the district, typical of most early neighborhoods in Durham. Several other styles are spread throughout the neighborhood and these include Foursquare, Queen Anne and Prairie. Figure 2 shows comparisons of these styles.

Even with diverse architecture, a number of similarities can be found among the existing structures. Over half of all structures in the district feature a gable roof in various configurations (see Figures 3 & 4). Nearly as many structures feature hip roofs. Some have combinations of flat hip and gable. Most homes feature an upper story dormer or attic gable which is often functional and decorative. The effect of these gables and dormers is to emphasize the roofs of the structures and accentuate the height of the structures. The structures range from one-story to two-story in height with a number of structures having one-and-one-half stories. Most structures have prominent chimneys which make the buildings visually taller as well. These chimneys are often decorative brick and are placed either interior or exterior. The oldest homes feature decorative corbelled brick stacks, and the English Country Style cottages have prominent front façade chimneys.

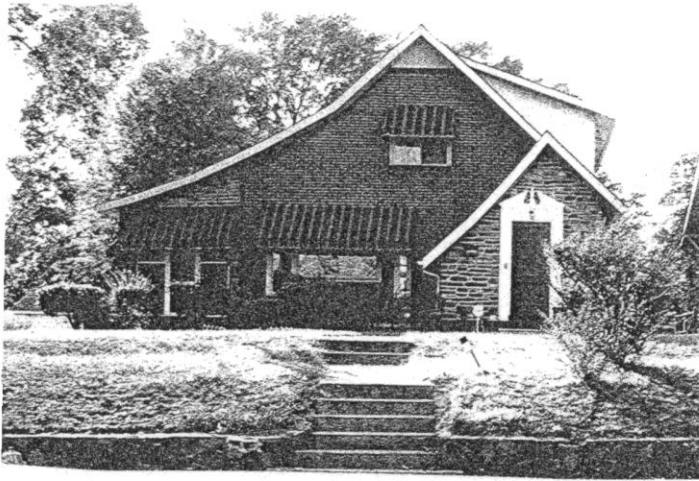
Nearly all structures in the Fayetteville Street Historic District include a porch on the main facade, either covered or uncovered. Most of the earliest structures include a full-facade or wrap-around covered porch which was often engaged. The porches on later homes, particularly the Bungalows, were also near full-facade and featured prominent plinths and other details to make the porches the most prominent design element of the structure. As noted earlier, the porte cohere is a feature on a number of the homes and is usually incorporated into wrap-around porch. Two properties have double-tiered porches. Most porches feature wooden details; however, a few exhibit handsome brickwork. Tapered, box posts and matchstick railings are the most common porch treatments in the district. Even the smallest of the duplex structures includes a porch or minimally a stoop to have a chair or two.

Other notable architectural details include the window and door treatments. Windows in the district represent a full spectrum of types (see Figure 5). One-over-one and two-over-two, double-hung sash windows are the most common. Variations of these types are prevalent throughout the district. Six-over-six and nine-over-nine are also found in abundance as well, and several homes have metal casement windows. Doors and entrance treatments vary greatly in the district. Some doors are solid with raised panels while others are full view glass or paneled with half glass. Transoms and sidelights are also found frequently as part of the main entrance. Decorative side windows (fanlights, lunettes, etc.) are also found flanking entrances on a number of homes in the district. Also, it is noted that there are a number of incompatible replacement windows as well.

The overall appearance of the district shows a similarity in mass and scale, which indicates a strong desire by the early builders to maintain an order in the neighborhood while promoting individual styles. Nearly all structures feature windows and doors of comparable size and shape. Buildings vary in height, but they tend to blend with the neighboring ones of differing heights by raising or lowering the rooflines, adding interest to the facades and roofs, and by common setbacks. This compatible use of mass and scale should be emphasized to designers of new buildings for the district.

**Figure 2: Typical Fayetteville Street
Architectural Styles and Details**

**Figure 2: Typical Fayetteville Street
Architectural Styles and Details**



English Cottage Style

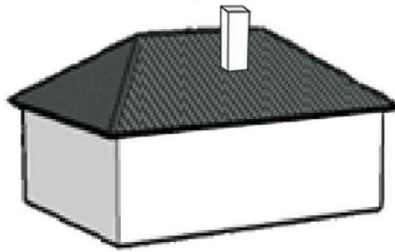


Prairie Style

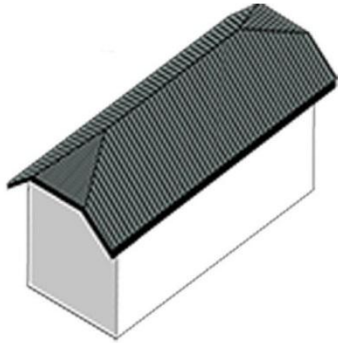


Bungalow

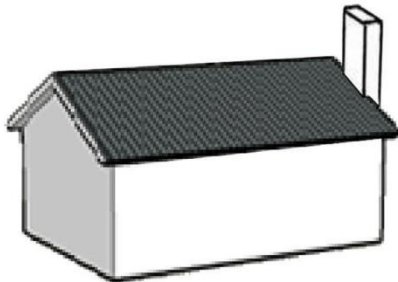
Figure 3: Roof Types



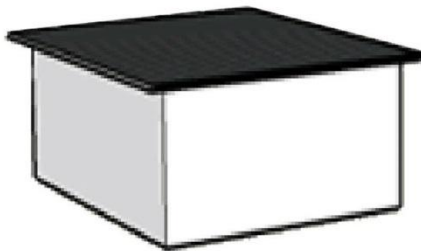
Hip Roof with
Interior Chimney



Clipped Gable



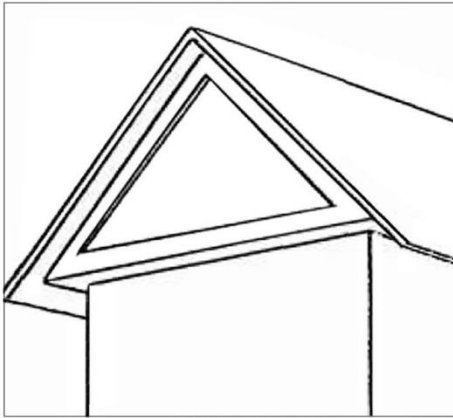
Gable with
End Chimney



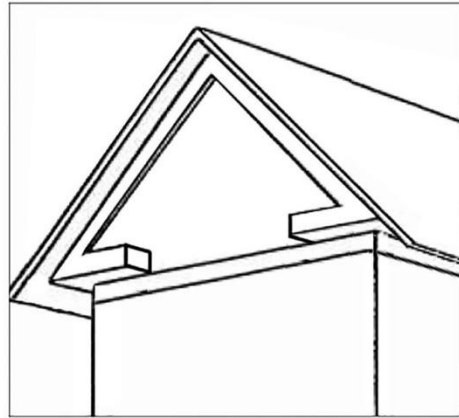
Flat Roof



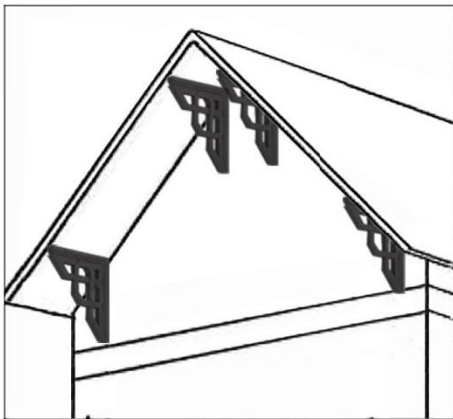
Figure 4: Gable Treatments



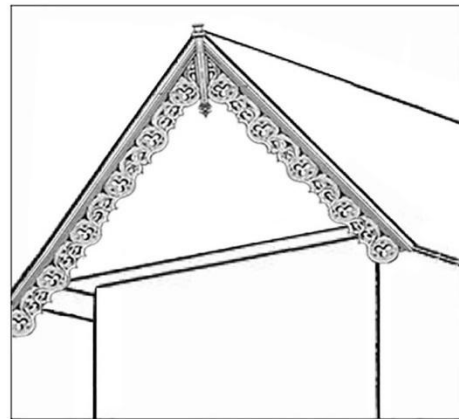
Boxed Cornice (Pedimented)



Boxed Cornice with Returns

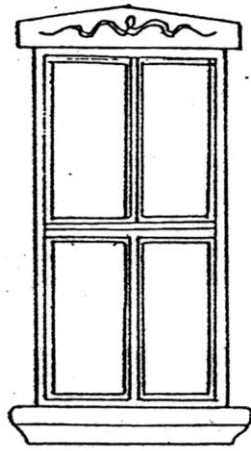


End Gable with Brackets

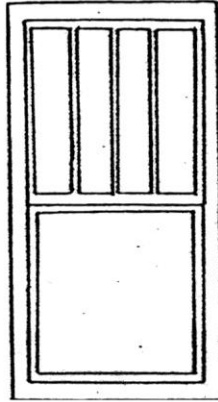


End Gable with Bargeboard

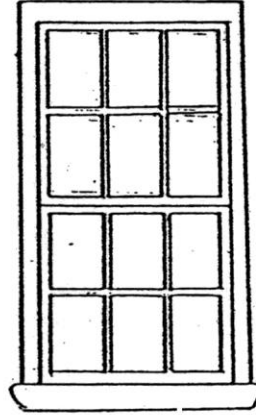
Figure 5: Window Types



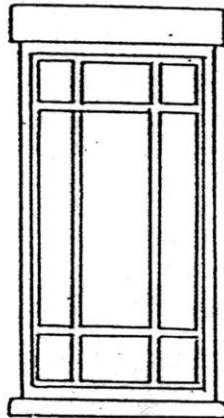
2 over 2



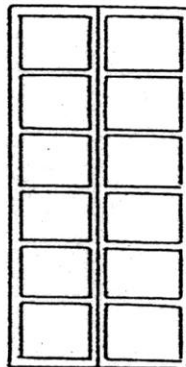
4 over 1



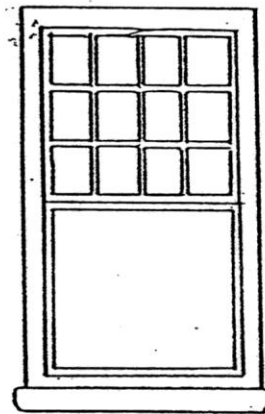
6 over 6



Casement

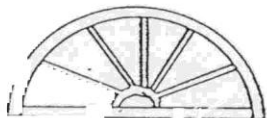


Casement

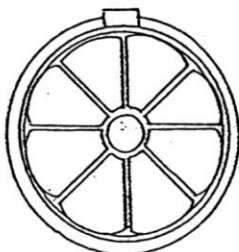


12 over 1

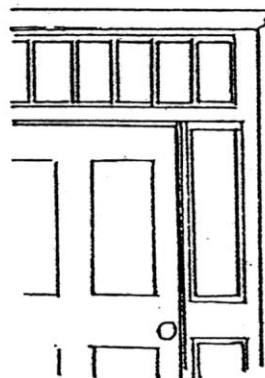
Fanlight



Rondel



Transom



Sidelite

Streetscape and Landscape

One of the most unifying features of the entire district is the street layout and landscaping. The linear form of the street and the commonality of the setbacks of the Fayetteville Street Historic District have been maintained since the earliest days of development. Small front lawn areas are the rule even for the most flamboyant homes including the Scarborough and C. Shepherd Houses. Sidewalks line both sides of the street, but they are narrow and in need of repair. Granite curbs in various areas of the district also are indicative of the age of the neighborhood. Between the sidewalks and the front lawns are low (twelve inches) concrete-over-brick walls. Common throughout Durham's earliest neighborhoods, these walls help to define property lines with a clean edge and are reminders of the days when streets were unpaved. These walls and the granite curbs should be maintained with any future changes in the neighborhood.

Another element of the district is the landscaping. While a number of mature trees dot the street, there is an obvious lack of significant vegetation. The narrow street and minor setbacks of the structures have made it difficult over the years for major plantings to be established. The individual lawns in the area are generally well maintained, and a number of lawns feature specimen trees. Flowering shrubs (azaleas, hydrangeas, camellias, etc.), annuals and perennials are also prominent throughout the district. Various grasses and ground covers are the typical cover for lawns in the neighborhood. Hard surfaces such as driveways and walkways tend to be gravel, paving strips and concrete. Overall, the landscape features in the district, both softscape and hardscape, need improvement. A recent project by design students from North Carolina State University, which will be discussed in more detail later, offers some interesting suggestions for improvements.

~~—— *Present Zoning*~~

~~—— The present zoning of Fayetteville Street is shown on Map 5: *Present Zoning*. From the northernmost boundary of the district south to just beyond Linwood Avenue is the Neighborhood Commercial (NC) zone. The area south of the NC is Office Institutional (OI-2) and this area stretches to Dunbar and Dunstan Streets. Multi-family Residential (RM-20) stretches from this area south to Lawson Street. The final stretch to the south is Residential (R-5). The most problematic area for protection of the district character is the commercial zoning on the east side of the street. The *South Central Durham Plan* calls for rezoning this area to OI-2, and the preservation plan agrees. This less intense zoning will help to preserve the existing residential homes along this area. While the zoning categories are more intense than some other neighborhoods, they seem to be suitable to maintain the residential character of this portion of the street.~~

Map 5: Present Zoning

Map 5: Present Zoning



Summary

This summary of the inventory data indicates much about the past appearance of the neighborhood. The vast majority of all structures contribute to the historic fabric of the district. Some buildings are deteriorating; however, most are in acceptable condition. A wealth of individual details and architectural similarities exist throughout the district and the overall setting has remained historically stable. The assessment of this information was used to create the following section of the Preservation Plan. The Historic Preservation Strategy discusses the way the Fayetteville Street Historic District can remain a vital part of Durham's heritage, and how the City and property owners can work together to preserve the historic attributes of their unique area.

Historic Preservation Strategy

Introduction

The strategy section of the Preservation Plan for the Fayetteville Street Historic District consists of the goal, policies and recommendations needed to maintain and re-establish the historic context of the neighborhood. The historic preservation goal is a general statement which indicates the desired end state or condition of the local historic District. Following the goal is a list of policies for the district, which are specific statements of what posture the City should take to encourage historic preservation in the district. The recommendations are the suggested means for acting on the policies. The goal, policies and recommendations will guide the Historic Preservation Commission, other public bodies, property owners and developers as they make decisions regarding the future development and preservation of the Fayetteville Street Historic District.

Historic Preservation Goal

The goal of the Fayetteville Street Historic District Preservation Plan is **a viable neighborhood with its historic heritage intact, preserved and displayed in its buildings and landscape, and a community which understands and respects that heritage.** This goal addresses the physical elements of architecture in the district, but also focuses on awareness in the Durham community and in the neighborhood of our historic resources. In the Fayetteville Street Historic District, the heart of this historic significance is Durham's rich African-American heritage and the vernacular architecture it created. The goal further emphasizes the thoughtful rehabilitation of historic properties, compatible new construction, and new investment in and around the district.

The policies of the Fayetteville Street Historic District Preservation Plan are grouped into six categories of preservation concern: Education, Regulation, Financial Issues, Technical Assistance, and Planning Coordination. This categorization is not meant to reflect a priority; these policy areas are considered of equal importance in achieving the Plan's stated goal. Specific recommendations or actions are included for each policy as concrete steps to be taken by the City or other actors to implement the policies of the Plan.

Fayetteville Street District Policies and Recommendations

Policy: Education

Provide information and educational resources to property owners, residents and the community at large about all aspects and implications of historic district designation and historic preservation.

Recommendations for Action

- a. Develop an informational brochure for property owners and residents describing the historic district designation and how it affects physical modifications.
- b. Support the existing organizations and institutions active in the district (Hayti Heritage Center, Durham Business and Professional Chain, NCCU, etc.) as a means of disseminating information and advocating the interests of the residents.
- c. Distribute to all property owners and residents in the district a copy of the Design Guidelines and Review Criteria section of this Plan.

- d. Develop and conduct historic preservation rehabilitation workshops, oriented to the needs of district property owners and residents, to display and teach appropriate preservation techniques.

Discussion

Education of people affected by historic district designation is probably the single most important means of insuring its success in preserving the community's historic resources. Property owners in particular need to be aware of the restrictions applied to their properties and the protection afforded to their properties. Having property owners aware of the Certificate of Appropriateness requirement will help to alleviate problems of modifications being undertaken without historic review.

An informed citizenry is also an asset in preserving the historic resources in the Fayetteville Street area. The community at large benefits from connecting Durham's past with the buildings and neighborhoods as they exist today. Knowing about the role of Fayetteville Street in the City's history will aid in the understanding of why Durham is what it is today.

The policies and recommendations outlined here emphasize a positive approach to education in historic preservation. The City will pull together expertise of the Planning staff, Commission members, the N.C. Division of Archives and History and other community resource persons as needed to support educational programs. These programs include brochures, audio-visual materials and workshops as well as basic information dissemination.

Policy: Regulation

- Require the issuance of a Certificate of Appropriateness prior to the issuance of building permits for any exterior building or site modification.
- Use the Design Guidelines in this Plan as a basis for issuing Certificates of Appropriateness.
- Use the other authorities granted to the Historic Preservation Commission, including delaying demolition, to preserve the historic heritage of the district.
- Enforce existing housing code and zoning requirements to preserve the character of the neighborhood and architectural heritage of the district.

Recommendations for Action

- a. Provide to property owners and residents of the district, and the general public upon request, an easy to understand copy of the Design Guidelines and Review Criteria.
- b. Adhere to the Historic Preservation Commission Rules of Procedures and administrative procedures to facilitate the fair and timely review of requests for Certificates of Appropriateness.
- c. Rezone to OI-2 (Office Institutional) the part of NC (Neighborhood Commercial) district on the east side of Fayetteville Street between Umstead Street and the existing OI-2 district.

Discussion

The major authority granted to the Historic Preservation Commission is the issuance of Certificates of Appropriateness (COA) which protects the neighborhood from intrusive

exterior treatments of buildings. The state enabling legislation and local ordinance already require that design guidelines be established to indicate what constitutes historically appropriate building modifications. These design guidelines and review criteria for the Fayetteville Street Historic District are included in the Preservation Plan. To further protect the integrity of the district, the Commission may delay demolition within the district for up to 365 days, initiate and participate in negotiations to save buildings, propose changes in City policies affecting historic resources and report violations. The Historic District Commission intends to take an active role in exercising its authority to protect the district.

As the pressures for new development increase in the future, the zoning of the Fayetteville Street area becomes a serious issue. The present zoning of Neighborhood Commercial (NC) on the east side of Fayetteville Street south of Umstead Street is incompatible with the residential nature of the area. The NC zoning allows uses that would make it easier to destroy the existing historic fabric of the area to make way for incompatible infill development. The *South Central Durham Plan* adopted in 1995 calls for the zoning to be changed to an office category. The Plan included a policy that states, "the character of a viable residential areas in South Central Durham should be protected and preserved". The OI-2 zoning would allow uses that are more compatible with the neighborhood, and it would resolve inconsistencies with the existing OI zoning south of the NC zone.

Policy: Financial Issues

Investigate, implement and publicize financial incentives to encourage property owners to maintain and preserve properties in the district.

Recommendations for Action

- a. Educate the property owners about the landmark designation powers of the Historic Preservation Commission.
- b. Investigate the use of other local tax incentives for the renovation of historic structures.
- c. Investigate the potential for individual properties to take advantage of State historic tax credits.
- d. Investigate the possibility of National register designation for the Fayetteville Street district.

Discussion

The City of Durham and Durham County merged the City's Historic District Commission with the County's Historic Properties Commission on July 1, 1992. This merger created the Historic Preservation Commission which has the power to recommend designation of local districts and landmarks in both the City and County. The addition of landmark designation allows the property owner of a designated landmark the opportunity to apply for a property tax deferral. The tax deferral would allow the property to be taxed at fifty percent of its assessed value. This is one of the best incentives available for the preservation of historic structures in North Carolina. However, the program is intended for those properties that have the highest degree of historic integrity and cultural significance, and the vast majority of historic properties in Durham and on Fayetteville Street will not qualify.

The policies and recommendations of this Plan recognize that the potential for designating local landmarks does not address all of the financing assistance needs in

the district. Also, sources of funding or fund raising opportunities which have not been anticipated may emerge in the future. The City should be prepared to develop those opportunities for innovative financing assistance as they arise. The creation of the State historic tax credits for home owners in 1998 offers owners of qualifying structures another opportunity to help offset the costs of maintaining the historic integrity of individual structures in the Fayetteville Street District.

Policy: Technical Assistance

Offer reasonable and timely technical assistance to property owners and developers for the design and implementation of either restoration or new construction in the district.

Recommendations for Action

- a. Maintain a historic preservation library and a file of knowledgeable consultants to assist district residents and the community at large in solving technical problems.
- b. Offer the technical expertise of the Planning staff and Historic Preservation Commission members where appropriate to assist in solving technical problems.
- c. Facilitate the using of whatever technical assistance may be available from the State Historic Preservation Office in the North Carolina Division of Archives and History.

Discussion

Often property owners find it difficult to deal with problems specific to their historic structures, in particular with the maintenance, repair or replacement of historic exterior elements. Frequently, out of frustration or ignorance, historic elements will be removed and replaced with incompatible materials. The City of Durham and the Durham City-County Planning Department offer support for historic district property owners.

Significant historic preservation expertise exists in the Planning staff, Historic Preservation Commission members, State agencies and in the local community. The Fayetteville Street Historic District Preservation Strategy acknowledges the importance of bringing together technical expertise and property owners planning renovation and/or new construction. But making the connection isn't sufficient because property owners can be expected to utilize such expertise only if it will not result in significant increases in development time or cost.

Policy: Development Activity

Promote appropriate new development opportunities in the historic district.

Recommendations for Action

- a. Support compatible and creative new development within the boundaries of the district.
- b. Support compatible new development on appropriately zoned land at the periphery of the district.
- c. Support efforts to create a more pedestrian and transit friendly atmosphere in and around the district.

Discussion

Economic development opportunities in the Fayetteville Street Historic District are somewhat limited by the residential nature of the area. Also, the northern part of the district has an existing commercial area that has undergone revitalization recently. The recommendations focus on supporting adjacent economic development activities that are compatible with the residential character of the area.

Historically, the development of the neighborhood has included an eclectic mix of housing types. Boarding houses, duplexes and multiple family residences have been included in the neighborhood since its origins. Due to the proximity of the University, institutional uses have always been an integral part of the neighborhood, and commercial establishments have historically been located on the northern edges of the district closer to the Hayti area. The plan endorses the continued development of compatible residential units on vacant sites while recommending that commercial uses remain primarily in the northern portion of the district. New institutional uses should be evaluated for their impact on the neighborhood before approval. The Planning staff and the Commission offer their assistance in working with landowners in the district to seek compatible uses for vacant parcels.

The impending transit station planned for Alston Avenue several blocks from the district offers an opportunity to refocus on more pedestrian friendly amenities. The success of this east Durham transit station is dependent upon its use by residents, students and patrons of businesses and institutions in the Fayetteville Street area. Improvements to lighting, sidewalks and landscaping will help to make the area more livable and desirable. The specific improvements are discussed more fully in the next section.

Policy: Planning Coordination

Promote planning in and around the Fayetteville Street Historic District to support and encourage historic preservation.

Recommendation for Action

- a. Implement the South Central Durham Plan.
- b. Promote the preservation of the historic fabric of the adjoining neighborhoods and the institutional and commercial properties.
- c. Promote the cooperation between the neighborhood and North Carolina Central University in planning for the future of the area.
- d. Utilize the expertise of the Commission and Planning staff to create and promote a unified street lighting, signage, and landscaping for the District based on the study completed by the North Carolina State University, School of Design students.

Discussion

Historic preservation objectives can best be achieved if the surrounding neighborhoods are viable and thriving. Planning activities which coordinate public and private development decisions will contribute to the neighborhood's stability. The proximity of the North Carolina Central University campus underscores the need to further define the boundaries of the residential neighborhood and limit intrusions of incompatible uses.

Likewise, planning activities oriented toward commercial and mixed-use areas outside of the district boundaries, such as the proposed Alston Avenue transit station area, will compliment strategies to guide the redevelopment and/or recovery of the community. While promoting the continued development of these areas, it is also important to preserve their historical context in relation to Fayetteville Street.

The integrity of the historic fabric of Fayetteville Street is also dependant upon its setting. In the fall of 1998, students from Dr. Angelo Abbate's Landscape Architecture class at the NCSU School of Design completed a landscape study of the district. Their study should form the basis for a complete landscape improvement program for Fayetteville Street. Many of their suggestions are pointed toward increasing neighborhood unity. They suggest, for example, that the use of historically compatible street lighting would not only help to visually unify the neighborhood, but that the additional lighting could help with security. Other unifying landscape features could also help the identity of the neighborhood. Because the district boundaries are linear in form, it would be easy to use signage at each end to help identify the area as a special entity in Durham. The use of compatible trees and other plantings in the district could contribute as well to a more historically viable neighborhood (see the Design Guidelines and Review Criteria section that follows for more information about landscape features).

Summary

The goals, policies, and recommendations addressed in the Historic Preservation Strategy section are the framework for the success of the Fayetteville Street neighborhood as a local historic district. The goal of preserving this valuable neighborhood can only be met with the cooperation between the neighborhood and the city. The Historic Preservation Commission and Planning staff will strive to implement the recommendations and issues addressed in the Strategy in a timely manner. Moreover, the Strategy, in combination with the following Design Guidelines and Review Criteria, will provide a logical, self-help guide for property owners in planning improvements, rehabilitations, and changes for their structures.

Principles and Review Criteria for Certificates of Appropriateness

An integral component of the preservation strategy for every designated local historic district is the adoption and application of review criteria for changes to designated properties. The overall objective of these review criteria is to ensure the integrity of Durham's historic areas by promoting sensitive modifications and harmonious improvements.

When local districts are designated, owners of property in the District are bound by the following restriction:

From and after the designation of an historic district or historic landmark, no exterior feature or designated portion of any building or other structure (including masonry walls, fences, light fixtures, steps, pavement, and other appurtenant features) nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within or on such historic district or historic landmark until after an application for a certificate of appropriateness as to the exterior feature or designated portion has been submitted to and approved by the Historic Preservation Commission. (Unified Development Ordinance Sec. 3.17.1A)

Review criteria were adopted to guide the Historic Preservation Commission in determining whether an application for a certificate of appropriateness is in keeping with the historic character of the designated historic district or landmark. In addition, these review criteria

assist property owners and applicants in understanding what constitutes historically appropriate modifications, site work, and new construction. The review criteria for all designated local historic districts and local historic landmarks are contained within the Consolidated Review Criteria document.

Additional information on proper preservation techniques is available from many sources. The list of references in an appendix at the end of this document includes several texts on preservation techniques. The staff of the Durham City-County Planning Department and the staff of the State Historic Preservation Office are available to assist property owners in understanding good practices for preservation.

Introduction

~~—The preservation of a city's historic fabric is a continuing concern in the face of growth and development. The City of Durham has the opportunity with its Historic District Overlay Zone to provide a means of achieving a sound policy for rehabilitation, new construction, landscaping and signage within the designated historic Districts. Durham presently has fifteen National Register Historic Districts throughout the city. The Historic District Overlay Zone allows these Districts and others to become designated Local Historic Districts. When these Districts are designated, the individual properties located within Local District's boundaries are subject to the following:~~

~~—No exterior construction, alteration, restoration, or rehabilitation activities affecting appearance may be conducted within the historic district without the applicant first obtaining a Certificate of Appropriateness or a Master Certificate of Appropriateness from the Durham Historic Preservation Commission. (Durham City Code, Zoning Ordinance, Section 24-4.D.6.)~~

~~—These general design guidelines were created primarily to provide for historic district property owners and builders a better understanding of the criteria that the Historic Preservation Commission uses when granting Certificates of Appropriateness. The basic goal of these general guidelines is to help insure the integrity of Durham's historic areas by promoting sensitive rehabilitation and harmonious new construction.~~

~~—The various sections of the Historic District Preservation Plan, in conjunction with these design guidelines, will prove to be beneficial during the earliest stages of planning and design phases of historic district construction projects.~~

~~—Three documents provide the basic framework for these design guidelines: The Secretary of the Interior's "Standards for Rehabilitation", the State of North Carolina General Enabling Legislation (G.S. 160A-395 through 399), and the Durham Zoning Ordinance.~~

~~The Secretary's Standards were created to assess historic preservation projects which involved Federal and State funds and/or tax incentives. These standards are used nationwide and form the core of these design guidelines. The State Enabling Legislation (G.S. 160A-395 through 399) grants municipalities the right to create local historic districts and to create commissions to oversee these areas. The Durham Zoning Ordinance, in its amendment creating the Historic District Overlay Zone (September 6, 1984, See Appendix C), spells out the details required for the Preservation Plans and Design Guidelines.~~

Standards for Rehabilitation

The Secretary of the Interior's "Standards for Rehabilitation" includes the following basic guidelines which provide the criteria by which the Historic District Commission will review projects for Certificates of Appropriateness:

~~*Compatible Use*~~

~~Every reasonable effort should be made to provide compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.~~

~~*Distinguishing Qualities*~~

~~The distinguishing original qualities or character of a building, structure, or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.~~

~~*Historical Time Frame*~~

~~All buildings, structures and sites should be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance should be discouraged.~~

~~*Historical Changes*~~

~~Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right and this significance should be recognized and respected.~~

~~*Distinctive Features/Skilled Craftsmanship*~~

~~Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, should be treated with sensitivity.~~

~~*Deteriorated Architectural Features*~~

~~Deteriorated architectural features should be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other~~

~~buildings or structures.~~

~~Surface Cleaning~~

~~The surface cleaning of structures should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should not be undertaken.~~

~~Archaeological Resources~~

~~Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.~~

~~Contemporary Design for Additions~~

~~Contemporary design for additions to existing structures or landscaping shall not be discouraged, if such design is compatible with the size, color, material, and character of the existing structure and surrounding neighborhood environment.~~

~~New Additions and Alterations~~

~~Whenever possible, new additions or alterations to structures shall be done in such a manner that, if they were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.~~

~~The Secretary of the Interior's "Standards for Rehabilitation" also includes a set of guidelines that elaborate on these standards. Property owners should follow the Secretary's Standards when deciding on any renovation within the Historic District. The following guidelines for rehabilitation and new construction are general and are not intended to address every specific renovation concern. They do address a number of issues directly related to the Fayetteville Street District.~~

Local Review Criteria

~~The review criteria are created for property owners to help preserve, maintain, and enhance the historic character of their district. The Historic Preservation Commission will refer to the review criteria and the Secretary of the Interior's standards in reviewing applications for Certificates of Appropriateness. The guidelines refer to new construction, additions and renovation as indicated.~~

~~While the guidelines cover most anticipated changes in the District, some changes may not be included. If this is the case, the property owner is advised to contact the Durham City County Planning staff (919) 560-4137 for advice.~~

~~***Proportion and Scale-- Height***~~

Existing Character. All structures in the Districts are one to two stories in height.

Guidelines. New buildings and additions should not dominate the primary or adjacent structures.

~~***Proportion and Scale-- Scale***~~

Existing Character. All structures relate well to the human scale. The largest buildings break up the vertical mass by the use of details, roof lines, porches and materials.

Guidelines. New buildings and additions should assume the general scale of district structures.

~~***Mass--Form and Bulk***~~

Existing Character. Most buildings have complex shapes and both symmetrical and asymmetrical treatments of facades is evident. Most structures have large expanses of walls on street facades broken up by details and porches. Vertical and horizontal emphasis is found frequently on individual structures.

Guidelines. New buildings should exhibit the general form and bulk of adjoining structures in the block face. New buildings should follow the general vertical and horizontal emphasis found on adjoining historic buildings. Large expanses of walls should be designed to minimize the visual bulk.

~~***Mass--Additions***~~

Existing Character. Many additions to original buildings have taken place in the district. Large additions are generally located to the rear of the original structures. Several structures have been altered by having their original front and side porches enclosed. In these situations, the alteration is incompatible with the structure.

Guidelines. Additions should harmonize with the design of the original facades while not trying to duplicate a historic look. Enclosing street facing porches will be discouraged.

~~Additions should be attached to the rear of the existing structure when possible.~~

~~Roofs--Shape and Pitch~~

Existing Character. ~~The majority of structures exhibit hip or gable roofs. Gables are also frequently used to breakup the mass of roofs. While many roofs are steeply pitched by various degrees, some are low such as those found on the Bungalow style homes and the small duplex structures.~~

Guidelines. ~~New roofs should have a pitch compatible with those found in the block face. Particular interest will be paid to compatibility with adjacent structures. Styles for new roofs shall be compatible with existing roofs in the District.~~

~~Chimneys~~

Existing Character. ~~While most chimneys are inconspicuous, some are tall and decorated with corbelled brick or other details at the top. More than one chimney is found frequently on the same structure, and some are featured prominently on the front façade with decorative elements applied.~~

Guidelines. ~~New chimneys shall harmonize with the scale, design, and materials of any other chimneys found on the existing structure or those on adjoining structures.~~

~~Windows--Types~~

Existing Character. ~~Window treatments in the district are generally double hung sash type with variations of 1 over 1 and 2 over 2 glass treatments as the most prominent. Multiple panes of glass also appear frequently. Small rondels, transoms and side lites accentuate many entrances.~~

Guidelines. ~~Window types should be consistent with the style of the structure and compatible with those found on historic structures in the District.~~

~~Storm windows should conform by color, size and style with the existing windows. Storm windows should not disguise or hide original windows.~~

~~Windows--Shape and Proportion~~

Existing Character. ~~Generally, windows in the district are tall and narrow with a vertical emphasis on the earlier houses. The later dwellings, such as bungalows, tend to have larger windows which are noticeably wider.~~

Guidelines. ~~New windows should conform to the general shape and proportion of those found on the existing structure and neighboring structures.~~

~~Windows--Rhythm~~

Existing Character. ~~Generally a rhythm is found in looking at the windows in a block face. Windows tend to be the same heights and shapes, and spacing between windows is somewhat consistent. Some homes have been incompatibly~~

~~altered and this rhythm is lost. Most structures exhibit a basic symmetrical layout of windows and doors.~~

~~Guidelines.~~ ~~New windows should be compatible with any rhythm found in window treatments of the house, the block face and adjacent structures.~~

~~Windows, Shutters and Other Details~~

~~Existing Character.~~ ~~Functional shutters are found on few buildings in the district. More often the shutters are non-functional and inappropriate in size and style. Various decorative elements (hoods, cornices, awnings, appliques, etc.) are found throughout the district.~~

~~Guidelines.~~ ~~Functional shutters on new or existing structures are preferable to non-functional ones. Maintain all original window details when possible or replace with similar materials and style. Awnings, if used, should be canvass or similar material. Any applied decorative element should be appropriate to the age of the structure.~~

~~Doorways~~

~~Existing Character.~~ ~~Generally, main entrance doors have prominent decorative elements. A mix of styles based on solid-paneled wood are common for doors. Several structures include wood doors with glass (panes, stained, beveled, etc.) in the upper half. Transoms, sidelights, and heavy trim accentuate most entrances.~~

~~Guidelines.~~ ~~Doors should be consistent with the style of the building. Storm doors, screen doors and other outer doors should be compatible in material, style and color and should not obstruct original doors.~~

~~Porches~~

~~Existing Character.~~ ~~Most historic residential structures in the district have covered porches located on the front facade. These porches vary greatly in size and configuration. Many have decorative columns and railings of varied designs. Some structures have stoops and others have terraces and patios. Many have undergone inappropriate alterations and enclosures.~~

~~Guidelines.~~ ~~Porches, terraces, patios and stoops should be retained on existing structures. Porches should normally be included on new buildings. Strive for appropriate, compatible details on porches.~~

~~Stairs~~

~~Existing Character.~~ ~~Stairs and steps on district structures are constructed of wood, concrete, and brick. Rails are not prevalent on front steps. Several homes include visually intrusive steel fire escapes.~~

~~Guidelines.~~ ~~Front facade stairs and steps should be constructed of wood, brick, or concrete. If rails are needed they should be compatible with the design of the building.~~

~~When necessary for safety reasons, place fire escapes on the rear of the structure.~~

~~Materials--Exterior Walls, Trim, and Foundations~~

Existing Character. ~~The primary exterior building material is wood siding. Horizontally placed weatherboard is found throughout the district. Brick, concrete block and stone as building materials are found on several structures and on many foundations. Incompatible aluminum and vinyl siding and asbestos shingles have been added to several structures. Wooden shakes and shingles are found on many buildings usually in gables. One house is sheathed in stucco and another is covered in random course ashlar.~~

Guidelines. ~~Use materials compatible with the fabric of the district. Avoid aluminum and vinyl siding, exposed concrete block, and plastic and uncharacteristic materials for exterior surfaces.~~

~~Materials--Roofs~~

Existing Character. ~~Roofing materials include seamed tin, patterned pressed tin, slate and composition shingles.~~

Guidelines. ~~Replace deteriorating roofs with original type of material if possible. Use materials which are compatible with the style of the structure and surrounding roof types. Contemporary elements (solar panels, skylights, attic vents) should be placed on the backside of the roof and out of view from the street.~~

~~Colors~~

Existing Character. ~~Various colors are used throughout the district.~~

Guidelines. ~~Choose a color scheme based on original colors if possible. Overall color should coordinate with roof color. Trim should be a different but harmonious color with the overall structure. Low gloss or flat paints are preferred for historic structures. Medium to dark colors for composite shingles are preferred for roofs. The City County Planning Department has a list of suggested colors and color combinations for those owners who seek their advice.~~

~~The Durham Historic Preservation Commission does not require approval for color.~~

~~Out-Buildings~~

Existing Character. ~~Many properties in the district have existing garages and storage buildings at the side or rear of the structures. These buildings are generally constructed of wood, and in some cases, masonry.~~

Guidelines. ~~Maintain any historic structures on the site. Place new utilitarian structures in the rear of the property and screened from the street when possible. Outbuildings should harmonize with style and materials of primary structure on property.~~

~~Orientation and Setback~~

Existing Character. All historic structures in the district are oriented with the main entrance facing the street. Setback has been relatively uniform over the years, and this setback is closer to the street than in Durham's newer neighborhoods.

Guidelines. All zoning regulations for setback, side yards, and rear yards shall be observed. All new construction shall have the main entrance facade oriented to the street (the street of address for a property). Preservation of the existing topography and vegetation is encouraged when placing the building.

~~Driveways and Walkways~~

Existing Character. The district includes concrete, gravel, and paving strip driveways predominantly. Individual sidewalks are concrete, stepping stones, brick and gravel. Public sidewalks are located on both sides of the streets. Most streets have minimal grassed median strips between the sidewalks and the street.

Guidelines. Driveways should be constructed of concrete, brick, gravel, or paving strips and must conform to existing City standards. Individual sidewalks should be constructed of concrete, brick, gravel or stepping stones. Sidewalks should be coordinated with the style of the building and its landscaping. These guidelines apply to public and private driveways and sidewalks.

~~Fences and Walls~~

Existing Character. Fencing in the district is generally wood or incompatible chain link. Walls in the district are constructed of concrete, brick and concrete block. Many properties display a low decorative retaining wall of concrete which separates the lawns from the sidewalks.

Guidelines. Fences and walls shall conform to the style of the structure. Fences should be constructed of wood (or iron under certain circumstances). Walls should be constructed of brick, concrete, or stone.

~~Lighting~~

Existing Character. Street and porch lights provide most of the light in the district.

Guidelines. Lighting fixtures should be compatible with the style of the building and landscaping.

~~Signs~~

Existing Character. Few permanent signs are found in the district. Some are located on properties that are commercial or institutional.

Guidelines. Signs must conform to City of Durham regulations. Permanent signs should conform to the fabric

~~(materials, style, proportion, etc.) of the district. Temporary signs (real estate, political campaign, etc.) are allowed in accordance with the City of Durham sign ordinance. All new signage must have prior approval from the Commission.~~

~~—Vegetation~~

~~Existing Character.~~ ~~Large canopy trees (primarily Oaks and Maples) are historically part of the district streetscape. Plantings are also found in a variety of ways on individual properties. Magnolias, Crepe Myrtles, and other flowering trees and shrubs are also prevalent. Grassed lawns are common to the district. A number of ground covers such as ivy are also prevalent.~~

~~Guidelines.~~ ~~Plant new canopy trees of similar type to replace diseased and dying trees. Maintain existing vegetation. Continue to use plantings to enhance the historic structures and to define individual properties. The Planning Department Staff maintains a list of the appropriate trees, shrubs, and ground covers for the property owners' use.~~

~~—Public Facilities~~

~~Existing Character.~~ ~~Utility lines are located overhead on standard utility poles. Public signage in the District is limited to traffic signs. Curbs are constructed of granite and concrete. Public streets are asphalt and the public sidewalks are concrete.~~

~~Guidelines.~~ ~~The utility companies and the City of Durham should consult the Historic District Commission before altering the appearance of any existing public facilities, utilities or spaces within the Historic District. The impact of signs, utility lines, and other contemporary public facilities on the Historic Districts should be minimized as much as possible. Care should be taken to preserve the granite curbs.~~

~~Any changes planned for existing exposed utilities in the district will require Planning staff and Commission review. Review will also be necessary for excavation work in the neighborhood except in the case of an emergency.~~

Appendix A: Glossary

Familiarity with the following terms will contribute to a better understanding of the nature of these guidelines. Further definitions are found in the Preservation Plans for the various Local Historic Districts.

| | |
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| Ashlar | A block of building stone either carved or left intact from the quarry. |
| Bay | A visual division on the facade of a building based on underlying structural members. |
| Block Face | The entire block as viewed from the street; including streetscape, building facades, landscaping, fronted side yards, and utilities (usually shown in elevation drawings). |
| Corbelling | Decorative brick work, usually in a stepped design, common for chimneys. |
| Cornice | A projecting, horizontal element at the top of a building or a section of a building used to visually divide the sections. Usually a cornice is decorative in nature. |
| Elevation | The exterior vertical faces of a structure shown in drawings. |
| Facade | The face or front of a building. |
| Fenestration | The arrangement of windows and openings on a building. |
| Footprint | The perimeter or outline of a structure as it is positioned on the land in a plan. |
| Lunette | A crescent or semicircular shaped, decorative window. |
| Masonry | Building materials such as stone, brick and stucco which are used as a facing or for structural support. |
| Orientation | The directional placement of a structure to its setting, the street and other structures. |
| Pattern | The various forms (materials, windows, buildings, etc.) arranged in a rhythmic manner that is repeated on a single building or a block face. |
| Pier | A vertical, structural support of a building, porch, roof, etc. |
| Pilaster | A column which has been affixed to the surface of a building. |
| Plan | A drawing showing the building and its setting on a horizontal plane. |

| | |
|-----------------------|--|
| Plinth | The base for a porch column, usually constructed of brick or other masonry. Most rise from the ground and extend to the height of the railing. Common on bungalow-style homes. |
| Porte Cochere | An extension of a porch roof over a driveway, an early version of a carport. |
| Rehabilitation | Making alterations and repairs to a structure (of any age) for a new use while retaining its original character. |
| Renovation | A general term meaning the renewal, rehabilitation or restoration of an historic building. |
| Restoration | Recreating the appearance of a structure or site from a particular period of time in its history by replacing lost elements and removing later ones. |
| Rondel | A small round or oval window usually adjacent to an entrance, typically in a spoke design in leaded glass or glass and wood. |
| Scale | The relationship of the mass and size of a structure to other buildings and humans. |
| Sidelight | A vertical window adjacent to a door, usually incorporated into the framework for the entrance and often found on each side of the door with a transom above. |
| Spandrel | A common Victorian porch detail which consists of a decorative panel between two vertical elements or an arch. |
| Streetscape | The right of way of a street or the view of the entire street including curbs, sidewalks, landscaping, utilities, street furniture and structures. |
| Stucco | A facing material for a building made from sand, cement, and lime applied in a liquid form which hardens to a durable finish. |
| Surround | An ornamental element that frames a window, door or other opening. |
| Texture | The building and landscape materials (brick, stone, siding, concrete, ground covers, etc.) which are found in a district, block or site. |
| Transom | A window element, usually horizontal, above an entrance door. |

Appendix-B: Reference Materials

Durham History

Durham County: A History of Durham County, North Carolina, by Jean Bradley Anderson, Durham: Duke Press, 1990.

Durham: A Pictorial History, by Joel A. Kostyu, Norfolk: Donning Press, 1978.

The Durham Architectural and Historic Inventory, by Claudia Roberts-Brown, Diane Lea, Robert M. Leary, Robert M. Leary and Associates, Durham: City of Durham, North Carolina, 1982.

The Story of Durham, by W. K. Boyd, Durham: Duke University Press, 1925.

Architectural History and Renovation

All About Old Buildings: The Whole Preservation Catalog, by Diane Maddex, editor, Washington, D.C.: The Preservation Press, 1985.

The Brown Book: A Directory of Preservation Information, by Diane Maddex, editor, with Ellen R. Marsh, Washington, D.C.: The Preservation Press, 1983.

Built in the U.S.A., by Diane Maddex, editor, Washington, D.C.: The Preservation Press, 1985.

Field Guide to American Houses, by Virginia and Lee McAlester, New York: Alfred A. Knopf, 1998.

Old and New Architecture: Design Relationship, National Trust for Historic Preservation, Washington, D.C.: The Preservation Press, 1980.

The Restoration Manual, by Orin M. Bullock, Norwalk, Ct.: Silvermine Publishers, Inc., 1966.

What Style Is It? A Guide to American Architecture, by John Poppeliers, S. Allen Chambers, Nancy B. Schwartz, Washington, D.C.: The Preservation Press, 1978.

~~Appendix C: Historic District Overlay Zone~~

~~Durham Zoning Ordinance~~

~~3.4 HISTORIC PRESERVATION COMMISSION~~

~~3.4.1 Establishment of the Durham Historic Preservation Commission~~

~~There is hereby established, pursuant to NCGS Chapter 16A, Article 19, Part 3C, a joint commission to be known as the Durham Historic Preservation Commission. The Commission is designated as the historic preservation advisory and quasi-judicial body for the County and City, and shall have the powers and duties described in this Section.~~

~~3.4.2 Membership~~

~~A. The Commission shall consist of nine members. All members of the Commission shall be residents of Durham County. A majority of the members of the Commission shall have demonstrated special interest, experience or education in history or architecture. The Commission shall always include at least one of each of the following five designations:~~

- ~~▪ Registered Architect;~~
- ~~▪ Registered Landscape Architect;~~
- ~~▪ Social or Cultural Historian;~~
- ~~▪ Representative of a Lending Institution or an Attorney;~~
- ~~▪ Real Estate Agent, Developer or Builder.~~

~~The Commission shall also include four at-large members. All members shall have equal rights regardless of whether the matters at issue are located inside or outside of the Durham City limits.~~

~~B. The regular term of office for Commission members shall be three years. Initial appointments shall be considered regular terms. A member may be reappointed for a second term. After two consecutive terms, a member shall be ineligible for reappointment until one calendar year has elapsed from the date of termination of his or her second term. A term shall continue until a successor is appointed by the appropriate Governing Body. Vacancies occurring for reasons other than the expiration of terms shall be filled by the appointing authority for the period of the unexpired term.~~

~~C. Two of the at large members shall be appointed by the Board of County Commissioners and two of the at large members shall be appointed by the City Council. The five designated members shall be appointed as follows: The Board of County Commissioners shall appoint a landscape architect, a social or cultural historian and a representative of a lending institution or an attorney. Initially, the City Council shall appoint an architect and a real estate agent, builder, or developer. The length of initial appointments shall be as follows:~~

| | |
|--|----------------------------|
| County At Large Appointment #1 | One year term |
| County At Large Appointment #2 | Two year term |
| City At Large Appointment #1 | One year term |
| City At Large Appointment #2 | Three year term |
| Landscape Architect | three year term |
| Social or Cultural Historian | Two year term |
| Representative of Lending Institution or Attorney | One year term |
| Architect | two year term |
| Real Estate Agent, Builder or Developer | Three year term |

~~In making appointments to the Commission, the Board and the Council shall give special preference to current members, to provide continuity in historic preservation planning. The Board of County Commissioners and the City Council shall also make a reasonable effort to balance representation between urban and rural interests. The Board of County Commissioners and the City Council shall consider the~~

~~recommendations for appointments from the Joint City County Planning Committee; however, neither elected body is bound to follow any recommendations for appointment which that Committee may make.~~

~~3.4.3 Organization and Meetings~~

- ~~A. The Commission shall elect its own officers. The Commission officers shall consist of a Chairperson and Vice Chairperson. The Commission may establish committees and subcommittees at its discretion.~~
- ~~B. The Commission shall adopt rules of procedure for the conduct of its business.~~
- ~~C. The Commission shall establish a regular meeting time and shall meet at least quarterly and more often as it shall deem necessary. All meetings shall be open to the public and shall conform to the North Carolina Open Meetings Law, NCGS Chapter 143, Article 33C. The commission shall keep permanent minutes of its meetings. The minutes shall include the attendance of its members and its resolutions, findings, recommendations and other actions.~~
- ~~D. Any member of the Commission who misses three consecutive regular meetings or one half of the regular meetings in a calendar year without an excuse approved by the Commission shall be considered to have resigned from membership on the Commission. In this event, the Commission shall notify the Governing Body that appointed the member, so that the Governing Body can appoint a replacement member.~~

~~3.4.4 Annual Report~~

~~The Commission shall prepare an annual report and submit it to the Board of County Commissioners and the City Council. The annual report shall include a comprehensive review of the Commission's activities, problems, and actions of the Commission and any budget requests or other recommendations.~~

~~3.4.5 Powers and Duties~~

~~The Commission is authorized and empowered to undertake such actions reasonably necessary to discharge and conduct its duties and responsibilities, including but not limited to the following:~~

~~A. General Responsibilities of the Commission:~~

- ~~— The Commission shall act to promote, enhance and preserve the character and heritage of the Durham community.~~

~~B. Specific Authority and Powers are:~~

- ~~1. To undertake inventories in Durham County of properties of historical, architectural or archaeological significance.~~
- ~~2. To recommend to the Board of County Commissioners and/or the City Council areas to be designated by ordinance as Historic Districts.~~
- ~~3. To recommend to the Board of County Commissioners and/or the City Council that designation of any Historic District be revoked or removed.~~
- ~~4. To recommend to the Board of County Commissioners and/or the City Council buildings, structures, sites, areas or objects within their relative areas of zoning jurisdiction to be designated by ordinance as Historic Landmarks.~~
- ~~5. To recommend to the Board of County Commissioners and/or the City Council that the designation of any building, structure, site, area, or object as an Historic Landmark be removed.~~
- ~~6. To sponsor or conduct educational programs regarding Historic Districts or Historic Landmarks.~~

- ~~7. To give advice to property owners concerning the treatment of the historical and visual characteristics of his or her property located within any Historic District or designated as an Historic Landmark, such as color schemes, gardens and landscape features, and minor decorative elements.~~
- ~~8. To cooperate with the State, Federal and local governments in historic preservation matters.~~
- ~~9. To consider and grant or deny applications for Certificates or Appropriateness or Master Certificates of Appropriateness in Historic Districts or Historic Landmarks in accordance with City and/or County ordinances.~~
- ~~10. To enter, solely in the performance of its official duties and only at reasonable times and only with the consent of the property owner, upon private land for the examination or survey of the property. However, no member, employee or agent of the Commission may enter any private building or structure without the express consent of the occupants or owner.~~
- ~~11. To recommend to the Board of County Commissioners and/or to the City Council other means of preservation and intervention at such times as vital historic resources appear, in the view of the Commission, to be threatened by neglect, use, demolition, or alteration.~~
- ~~12. To propose to the Board of County Commissioners and/or the City Council changes to the City-County Interlocal Agreement which establishes the Commission, or any other related County and City ordinances, and to propose new ordinances relating to Historic Districts, Historic Landmarks or the total program for the development and preservation of historic resources of Durham and its environs.~~

~~5.6 HISTORIC DISTRICTS AND LANDMARKS OVERLAY~~

~~5.6.1 Purpose~~

~~The strength and happiness of a community is measured and preserved by the contributions and commitment of its people to its past, present and future. The purpose and objective of this Section of the Durham Zoning Ordinance is to promote, protect, conserve and preserve one of Durham's most valued and important assets, its historical and architectural heritage. By means of recognizing, designating, and regulating historic landmarks and historic districts, and by means of acquiring and managing selected historic properties where appropriate, Durham County and the City of Durham seek to:~~

- ~~Safeguard their heritage by preserving and protecting any historic buildings, structures, sites, areas and objects that embody their cultural, social, economic, political and architectural history;~~
- ~~Promote the use and conservation of Durham's historic resources for the education, pleasure and enrichment of the residents of the City, County and State as a commemoration and reminder of the early days of their settlement and evolution;~~
- ~~Foster civic beauty through the development and maintenance of historic sites, buildings and landmarks; and~~
- ~~Stabilize and enhance property values throughout their jurisdictions; promote the economy, commerce and industry; and encourage tourism.~~

~~By thus preserving and protecting Durham's historic heritage, these measures for recognizing, designating, and regulating historic landmarks and districts enhance and contribute to the general health, safety and welfare of the residents of the City and County.~~

~~To serve these purposes, the Durham Board of County Commissioners and the Durham City Council have jointly established the Durham Historic Preservation Commission, hereinafter referred to as the~~

~~"Commission". The Commission has been established to advise elected officials in Durham County and the City of Durham about matters of historic preservation and to perform the quasi-judicial functions described herein.~~

~~5.6.2 Applicability~~

~~All development within a designated historic district shall comply with the requirements contained in this Section. In addition, all development within a designated historic district shall comply with the requirements of any underlying zoning district.~~

~~5.6.3 Permitted Uses~~

~~Those uses permitted by the underlying district are allowed in the Historic District.~~

~~5.6.4 Historic District Designation~~

~~The historic district is hereby established as an overlay zoning district in the zoning jurisdictions of the City of Durham and Durham County. The City Council and the Durham Board of County Commissioners may designate, in their respective jurisdictions, 1 or more geographic areas as historic districts and may indicate the extent and boundaries of any such area on the Official Zoning Map for the City or County.~~

~~1. Eligibility for Designating an Area as a Historic District~~

~~An area may be considered for designation as a historic district by the Board of County Commissioners or by the Durham City Council, as appropriate, only after the Durham Historic Preservation Commission deems and finds that the area is of special significance in terms of its prehistorical, historical, architectural or cultural importance, and possesses integrity of design, setting, materials, feeling and association.~~

~~2. Initiation of Requests for Designating a District~~

~~Requests for designating an historic district may be made in any one of the following methods:~~

- ~~a) By petition to the appropriate Governing Body of more than 25 percent of the property owners in the proposed historic district. (Petition shall be filed with the Durham City-County Planning Department).~~
- ~~b) By initiative of Durham County for proposed historic districts in the County's zoning jurisdiction.~~
- ~~c) By initiative of the City of Durham for proposed historic districts in the City's zoning jurisdiction.~~

~~3. Procedure for Considering a Request for Designating an Historic District or for Modifying an Existing Historic District's Boundaries~~

~~Upon the filing of a petition from a property owner or owners or upon the initiative of City or County, the following steps shall apply to the consideration of the proposed historic district.~~

- ~~a) The Director of the Durham City-County Planning Department (in this Section referred to as the "Director") shall publish notice that a request has been filed and will be considered by the Commission at a specified date and time.~~
- ~~b) The Commission shall conduct a preliminary consideration of the request and, at this time, may make the findings indicated in Section 5.6.4.1 Eligibility for Designating an Area as an Historic District, above. The Commission shall report its findings to the Director.~~

- ~~c) If the Commission finds that the proposed Historic District meets the requirements of Section 5.6.4.1 Eligibility for Designating an Area as an Historic District above, then the Director shall prepare an Historic District Preservation Plan, in accordance with Section 5.6.4.4 Requirements for Historic District Preservation Plan. If the decision of the Commission is negative, the Director shall report the negative recommendation to the City Council or the Board of County Commissioners, as appropriate, as an informational item.~~
- ~~d) In accordance with NCGS 160A-400.4(2), the North Carolina Department of Cultural Resources shall make an analysis of and recommendations concerning the investigation and report contained in the Historic District Preservation Plan required in Section 5.6.4.3(c). Failure of the Department of Cultural Resources to submit its written analysis and recommendations within 30 days after a written request for such analysis has been received by the Department shall relieve the Governing Body of any responsibility for awaiting such analysis, and the Governing Body may at any time thereafter take action on the proposed historic district and Historic District Preservation Plan.~~
- ~~e) The Director shall publish notice that the designation of an historic district and the adoption of an Historic District Preservation Plan will be considered by the Commission at a specified date and time.~~
- ~~f) The Commission shall conduct a public hearing on the proposed historic district designation and the Historic District Preservation Plan. The Commission shall review the proposed historic district designation and the Historic District Preservation Plan and shall recommend to the appropriate Governing Body denial of the request or designation of the area.~~
- ~~g) The Durham Planning Commission shall conduct a public hearing on the proposed historic district designation and the Historic District Preservation Plan. The Durham Planning Commission shall review the proposed historic district designation and the Historic District Preservation Plan and shall recommend denial or designation of the area.~~
- ~~h) The City Council or the Board of County Commissioners, as appropriate, shall set a public hearing and shall notify property owners within the proposed historic district of the public hearing in accordance with the public notification provisions of Section 15.~~
- ~~i) The City Council or the Board of County Commissioners, as appropriate, shall hold a public hearing to consider the request to designate the historic district and the adoption of the Historic District Preservation Plan. The protest petition procedures as established by Section 15 shall apply to the designation or amendment of an historic district.~~
- ~~j) If the City Council or the Board of County Commissioners, as appropriate, shall deny a request for designating an historic district, property owners may not initiate a new request to designate an historic district for the same area until at least one year after the Governing Body's action to deny the request.~~

~~4. Requirements for Historic District Preservation Plan~~

- ~~An Historic District Preservation Plan shall include an investigation and report describing the significance of the buildings, structures, features, sites, or surroundings included in the proposed historic district and a description of the boundaries of the proposed historic district, in accordance with NCGS 160A-400.4(1); principles and design review criteria (guidelines) for Certificates of Appropriateness as required in NCGS 160-400.9(c); and a preservation strategy tailored to the individual needs of the specific area.~~
- ~~The preservation strategy shall include, but not be limited to the following elements:~~

- ~~a) The need for the historic district in that area, including the specific reasons why the regulatory provisions of this section should be applied in order to effectively accomplish the preservation of that area;~~
- ~~b) The means by which existence of the historic district will be publicized to historic district property owners and to the general public;~~
- ~~c) The principles, design guidelines and criteria to be followed in the historic district for exterior activities involving new construction, alteration, restoration, or rehabilitation and which shall be the basis for the Commission's review and action upon an application for a Certificate of Appropriateness;~~
- ~~d) The means by which technical assistance will be offered to property owners of the historic district by the Commission, City and County staff, or other groups;~~
- ~~e) A description of the various financial incentives that are proposed for use in promoting preservation activities within the historic district, how those incentives would be utilized and how property owners will be made aware of them; and~~
- ~~f) A description of what, if any, measures the Commission, the City or County staff, or other groups will take to encourage economic activity and development which will be conducive to preservation activities within the historic district.~~

~~5. Commission Recommendation~~

- ~~The Commission shall forward its recommendation on historic district designation to the Durham Planning Commission and to the City Council or Board of County Commissioners, as appropriate, with a recommended Historic District Preservation Plan. Consideration of the Historic District Preservation Plan shall be part of the consideration of the historic district designation.~~

~~6. Historic District Preservation Plan as Policy~~

- ~~When the City Council or Board of County Commissioners, as appropriate, designates an area as an historic district, the Historic District Preservation Plan for the particular historic district shall become City or County policy and all appropriate public bodies or administrative officials cited as having implementation responsibilities shall be directed to use their best efforts to assure the effective implementation of the Plan as it is written.~~

~~7. Interior Changes~~

- ~~The Commission shall not consider interior changes to buildings and no Certificate of Appropriateness shall be required for interior changes. However, this does not excuse the property owner from obtaining required building permits for interior work.~~

~~8. Repeal of Historic District Designation~~

- ~~The Board of County Commissioners or the City Council, as appropriate, may repeal an ordinance designating an historic district. The repeal process shall be in accordance with NCGS 160A-400.6. The Governing Body's action to repeal an ordinance of designation shall include the reasons for the repeal and a review by the State Historic Preservation Office. When such a repeal occurs, the Director of the Durham City County Planning Department shall notify the Commission and the property owners.~~

~~5.6.5 Historic Landmarks Designation~~

~~1. Initiation of Requests for Designating an Historic Landmark~~

- ~~— A property owner or owners may request that a property be designated as an historic landmark by application to the Durham City-County Planning Department. Requests for designation shall include the specific elements of the property for which historic landmark designation is proposed. Requests for designation shall be made on forms provided by the Durham City-County Planning Department.~~

~~2. Criteria for Designation~~

- ~~— A building, structure, site, area and object may be considered for designation as an historic landmark only if both of the following criteria are met:~~
- ~~— a) The Commission deems and finds that the building, structure, site, area or object appears individually eligible for listing or is individually listed on the National Register of Historic Places; and~~
- ~~— b) The Commission deems and finds that the property is of special significance in terms of its prehistorical, historical, architectural or cultural importance, and possesses integrity of design, setting, materials, feeling and association.~~
- ~~— A property shall be designated as a historic landmark only with the consent of the property owner or owners.~~

~~3. Adoption of an Ordinance of Designation~~

- ~~— Upon compliance with the procedures set out in *Section 5.6.5.5 Required Procedures*, the City Council or the Board of County Commissioners may, for their respective jurisdictions, adopt and from time to time amend or repeal an ordinance designating one or more historic landmarks. The ordinance shall include the following information:~~
- ~~— a) A description of each property designated by the ordinance, including the tax map reference number for the property. The ordinance shall clearly indicate what elements of the property are designated as an historic landmark. Examples of those elements are a building's interior, its exterior, any specific or all outbuildings, other site elements or the entire site.~~
- ~~— b) The name or names of the owner or owners of the property.~~
- ~~— c) A description of those elements of the landmark that are integral to its educational, cultural, historical, architectural or prehistorical value.~~
- ~~— d) The land area of the property.~~
- ~~— e) A note that, for each building, structure, site, area or object, the waiting period set forth in *Section 5.6.6.5 Certificates of Appropriateness for Demolition, Destruction or Relocation* of this ordinance shall be observed prior to its demolition.~~
- ~~— f) Any other information the Commission deems necessary.~~

~~4. Repeal of Historic Landmark Designation~~

- ~~— The Board of County Commissioners or the City Council, as appropriate, may repeal an ordinance designating an historic landmark. The repeal process shall be in accordance with NCGS 160A-400.6. The Governing Body's action to repeal an ordinance of designation shall include the reasons for the repeal and a review by the State Historic Preservation Office. When such a repeal occurs, the Director of the Durham City-County Planning Department shall notify~~

~~the Commission, the property owner or owners, the Register of Deeds for Durham County and the Durham County Tax Supervisor.~~

~~5. Required Procedures~~

- ~~No ordinance designating an historic landmark nor any amendment thereto may be adopted, nor may any historic landmark be accepted or acquired by the City of Durham or Durham County until the following procedural steps have been taken:~~
- ~~a) The Commission shall adopt Rules of Procedure.~~
- ~~b) The Commission shall prepare and adopt principles and design review guidelines for altering, restoring, moving or demolishing properties designated as landmarks.~~
- ~~c) In accordance with NCGS 160A-400.6(2), the Commission shall make or cause to be made an investigation and report on the prehistorical, historical, architectural, educational or cultural significance of each building, structure, site, area or object proposed for designation or acquisition. The investigation and report shall be forwarded to the Division of Archives and History, North Carolina Department of Cultural Resources.~~
- ~~d) In accordance with NCGS 160A-400.6(3), the North Carolina Department of Cultural Resources shall be given the opportunity to review and comment upon the substance and effect of the designation of any historic landmark. Any comments shall be provided in writing. If the Department of Cultural Resources does not submit its comments within 30 days following receipt by the Department of the investigation and report, the Commission and the Governing Body are relieved of any responsibility to consider such comments.~~
- ~~e) The Commission shall hold a public hearing on the proposed ordinance of designation. It shall recommend to the Board of County Commissioners or the City Council, as appropriate, denial of designation or approval of designation of the proposed historic landmark.~~
- ~~f) The Board of County Commissioners or the City Council, as appropriate, shall hold a public hearing on the proposed ordinance of designation. Following the public hearing, the Governing Body may adopt the ordinance of designation as proposed, adopt the ordinance of designation with any amendments it deems necessary, or reject the proposal.~~
- ~~g) Upon adoption of the ordinance of designation, the following provisions shall apply:~~
 - ~~1. The owners and occupants of each designated historic landmark shall be given written notification of such designation by the Director of the Durham City-County Planning Department, insofar as reasonable diligence permits.~~
 - ~~2. One copy of the ordinance and each amendment thereto shall be filed by Director of the Durham City-County Planning Department in the office of the Register of Deeds of Durham County. Each historic landmark designated in the ordinance shall be indexed according to the name of the owner of the property in the grantee and grantor indexes in the Register of Deeds office.~~
 - ~~3. One copy of the ordinance and each amendment thereto shall be given to the Durham Inspections Department.~~
 - ~~4. For historic landmarks in the City, one copy of the ordinance and each amendment thereto shall be kept on file in the office of the Durham City Clerk and made available for public inspection at any reasonable time.~~

~~5. The fact that a building, structure, site, area or object has been designated as an historic landmark shall be clearly indicated on all tax maps maintained by Durham County for such period as the designation remains in effect.~~

~~6. The Director of the Durham City-County Planning Department shall give notice of the adoption of an ordinance of designation and any amendment thereof to the Durham County Tax Supervisor. The designation and any recorded restriction upon the property limiting its use for preservation purposes shall be considered by the Tax Supervisor in appraising it for tax purposes.~~

~~6. Historic Markers~~

~~The ordinance designating the landmark may also provide for suitable markers on the property noting that the landmark has been so designated, including but not limited to signs, plaques or other appropriate indicators. If the owner consents, the sign shall be placed upon the property. If the owner objects, the sign shall be placed on a nearby public right-of-way.~~

~~5.6.6 Certificate of Appropriateness~~

~~1. Requirements for Certificates of Appropriateness in Historic Districts~~

~~From and after the designation of an historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps, pavement, and other appurtenant features) nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within such historic district until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Commission. Applications shall be filed according to the procedure found in Section 5.6.6.7 Required Procedures.~~

~~The City of Durham and Durham County shall not grant any building permit or other permit for the purposes of constructing, altering, moving or demolishing any structure within an historic district for which a Certificate of Appropriateness has not been approved. A Certificate of Appropriateness shall be required whether or not a building permit is required. Any building permit or other permit not issued in conformity with this Section shall be invalid. A Certificate of Appropriateness may be issued by the Commission subject to reasonable conditions necessary to carry out the purposes of this ordinance.~~

~~For the purposes of this Section, the term "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features. In the case of outdoor advertising signs, the term "exterior features" shall be construed to mean the style, material, size and location of all such signs. These "exterior features" may include historic signs and significant landscape, archaeological and natural features of the area.~~

~~2. Requirements for Certificates of Appropriateness for Historic Landmarks~~

~~From and after the designation of an historic landmark, no designated portion of any building or other structure (including masonry walls, fences, light fixtures, steps, pavement, and other appurtenant features) nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on such historic landmark until after an application for a Certificate of Appropriateness has been submitted to and approved by the Commission.~~

~~The City of Durham and Durham County shall not grant any building permit or other permit for the purposes of constructing, altering, moving or demolishing any structure designated as an historic landmark for which a Certificate of Appropriateness has not been approved. A Certificate of Appropriateness shall be required whether or not a building permit is required. Any building permit or other permit not issued in conformity with this Section shall be invalid. A Certificate of~~

~~Appropriateness may be issued by the Commission subject to reasonable conditions necessary to carry out the purposes of this ordinance.~~

~~For the purposes of this Section, the term "designated portion" shall mean any portion of an historic landmark that was included in the ordinance designating the landmark, including the main structure or structures, the interior or portions of the interior, any outbuildings or secondary structures, site elements and landscaping.~~

~~Where the exterior of a building or structure is designated as an historic landmark, the term "exterior" shall mean the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features. In the case of outdoor advertising signs, the term "exterior" shall be construed to mean the style, material, size and location of all such signs. Such "exterior" features may include but shall not be limited to historic signs, significant landscapes, and archaeological and natural features of the area.~~

~~3. Intent of Principles and Review Criteria for Certificate of Appropriateness for Historic Districts~~

~~For historic districts, the intent of these regulations is to insure, insofar as possible, that buildings or structures in the historic district shall be in harmony with other building or structures located therein. However, it is not the intention of these regulations to require the reconstruction or restoration of individual or original buildings or to prohibit the demolition or removal of such buildings or to impose architectural styles from particular historic periods. In considering new construction, the Commission shall encourage contemporary design which is harmonious with the character of the historic district.~~

~~In granting a Certificate of Appropriateness, the Commission shall take into account, in accordance with the Principles and Design Review Criteria of the Historic Preservation Plan adopted for the historic district:~~

- ~~a) The historic or architectural significance of the structure under consideration in relation to the historic value of the district;~~
- ~~b) The exterior form and appearance of any proposed additions or modifications to that structure; and~~
- ~~c) The effect of such additions or modifications upon other structures in the vicinity.~~

~~4. Intent of Principles and Review Criteria for Certificate of Appropriateness for Historic Landmarks~~

~~In granting a Certificate of Appropriateness, the Commission shall take into account in accordance with the Principles and Design Review Criteria adopted for historic landmarks:~~

- ~~a) The historic or architectural significance of the structure, site or setting under consideration; and~~
- ~~b) The exterior form and appearance of any proposed additions or modifications to the structure, site or setting.~~

~~The intent of these regulations is to insure, insofar as possible, that changes to buildings or structures designated as historic landmarks shall be in harmony with the historic character that was cited as the reasons for designation.~~

~~5. Certificate of Appropriateness for Demolition, Destruction and Relocation~~

- ~~— An application for a Certificate of Appropriateness authorizing the demolition, destruction or relocation of a structure in a designated historic district or of a designated historic landmark shall not be denied. However, the effective date of such a Certificate of Appropriateness may be delayed for a period of up to 365 days from the date of approval. This maximum period of delay shall be reduced by the Commission when it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such structure or landmark by virtue of the delay. During such period, the Commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the structure or landmark.~~
- ~~— If the Commission finds that the structure has no particular significance or value toward maintaining the character of an historic district, it shall waive all or part of such period and authorize earlier demolition or removal.~~
- ~~— An application for demolition, destruction and relocation of a building, site or structure determined by the State Historic Preservation Officer as having Statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such structure or landmark by virtue of the denial.~~

~~6. Master Certificates of Appropriateness~~

- ~~— Work done by the City of Durham, Durham County and by public utility companies within any historic district shall be subject to the provisions of this Section. However, rather than obtaining individual Certificates of Appropriateness for each proposed project in an historic district, the City of Durham, Durham County and public utility companies may instead obtain a Master Certificate of Appropriateness from the Commission. The provisions of~~
- ~~— this Section that apply to Certificates of Appropriateness shall also apply to Master Certificates of Appropriateness. No Master Certificate of Appropriateness shall be valid for a period greater than 1 year from the date of issuance.~~
- ~~— In addition to acquiring a Master Certificate of Appropriateness, the City of Durham, Durham County and any public utility company shall notify the Durham City Manager or Durham County Manager, as appropriate, prior to performing any work within any historic district. In emergency situations, as determined by the Durham Inspections Department, notification by the next work day is acceptable. Such work shall be done in accordance with the principles and design criteria adopted for the historic district as part of the Historic District Preservation Plan. The City Manager or County Manager, as appropriate, may inspect all work done pursuant to a Master Certificate of Appropriateness.~~

~~7. Required Procedures~~

- ~~— a) Application~~
 - ~~— A property owner or his or her agent may file an application for a Certificate of Appropriateness with the Durham City County Planning Department. The Commission shall consider an application for a Certificate of Appropriateness as soon as reasonably possible, but shall consider all applications within at least 60 calendar days of the date of the application unless a deferral is granted in accordance with Section 5.6.6.7(g) Deferral of Application.~~
- ~~— b) Content of Application~~
 - ~~— The Commission shall, by uniform rule in its Rules of Procedure, require such data and information as is reasonably necessary to evaluate the nature of the application. An application for a Certificate of Appropriateness shall not be considered complete until all required information has been submitted. An applicant may file with the application any additional relevant information bearing on the application.~~
- ~~— c) Notification of the Commission~~

~~The Director of the Durham City County Planning Department shall notify the members of the Commission at least 7 calendar days before its regularly scheduled meeting of any pending applications for Certificates of Appropriateness.~~

~~d) **Notification of Affected Property Owners**~~

~~Prior to the issuance or denial of a Certificate of Appropriateness, the Director shall take such action as may be reasonable to inform the owner of any property likely to be materially affected by the application.~~

~~e) **Public Hearing**~~

~~In cases where the Commission deems it necessary, it may hold a public hearing concerning the application.~~

~~f) **Commission Action on Applications**~~

~~The Commission shall take action on the application and in doing so shall apply the principles and design review criteria, referred to in *Section 5.6.4.4 Requirements for Historic District Preservation Plan* or *Section 5.6.5.5 Required Procedures*, as appropriate. The Commission shall approve, approve with modifications or conditions, or disapprove an application for a Certificate of Appropriateness or Master Certificate of Appropriateness. The Commission may not deny a Certificate of Appropriateness for demolition (see *Section 5.6.6.5 Certificate of Appropriateness for Demolition, Destruction and Relocation*).~~

~~Prior to final action on an application for a Certificate of Appropriateness in an historic district, the Commission, using the principles and design review criteria adopted pursuant to *Section 5.6.4.4 Requirements for Historic District Preservation Plan*, shall make findings of fact indicating the extent to which the application is or is not consistent with the historic character and qualities of the historic district. Prior to final action on an application for a Certificate of Appropriateness for an historic landmark, the Commission, using the principles and design review criteria adopted pursuant to *Section 5.6.5.5 Required Procedures*, shall make findings of fact indicating the extent to which the application is or is not consistent with the principles and design review criteria. The Commission shall cause to be entered into the minutes of its meeting the reasons for its actions, whether it be approval, approval with modification or conditions or denial.~~

~~g) **Deferral of Application**~~

~~An applicant for a Certificate of Appropriateness may request that the Commission's consideration of the application be deferred to a specific date. Upon such request, the Director shall have the authority to grant the deferral. A request for continuance shall be made in writing to the Director at least 10 days prior to the scheduled consideration of the application and shall indicate the date to which the deferral is requested and the reasons for the deferral. Only 1 deferral shall be permitted for each application.~~

~~8. **Time Limits**~~

~~If the Commission fails to take final action upon any application within 60 days after the complete application is submitted to the Director, the application shall be deemed to be approved, unless a deferral is granted in accordance with the provisions of *Section 5.6.6.7(g) Deferral of Application*. If such a deferral is requested, the 60-day time period shall be increased by the amount of time for which a deferral is requested. A Certificate of Appropriateness shall expire if a building permit has not been obtained within 1 year.~~

~~9. **Submission of New Application**~~

~~If the Commission denies an application for a Certificate of Appropriateness, a new application affecting the same property may be submitted only if substantial changes are made in plans for the proposed construction, reconstruction, alteration, restoration, moving or demolition, or if conditions related to the historic district or historic landmark or surrounding uses have changed substantially.~~

~~10. Local and State Coordination~~

- ~~— The Commission shall use all reasonable efforts to expedite any concurrent process with the North Carolina Department of Cultural Resources if such a process is desired by the applicant for the purpose of securing both a Certificate of Appropriateness and a Federal historic preservation tax credit.~~

~~11. Appeal of Decision~~

- ~~— An appeal of a decision of the Commission in granting or denying any Certificate of Appropriateness may be taken to the Durham Board of Adjustment. Appeals may be taken by any aggrieved party, shall be taken within times prescribed by the Commission in its Rules of Procedure and shall be in the nature of certiorari (only evidence presented at the Commission's meeting shall be considered at the appeal). An appeal from the City or County Board of Adjustment's decision in any case shall be heard by the Durham County Superior Court.~~

~~5.6.7 General Provisions~~

~~1. Circumstances Not Requiring Certificates of Appropriateness~~

- ~~— Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district or on an historic landmark which does not involve a substantial change in the design, material, or outer appearance thereof, provided that any required building permit is obtained.~~

~~Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration or demolition of any such feature which is determined to be a threat to the public safety. The Durham Inspections Department shall certify in writing to the Commission that such action is required for the public safety because of an unsafe or dangerous condition.~~

- ~~— Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.~~

~~2. Review of Application by Commission~~

- ~~— As part of its review procedure, the Commission may view the premises and seek the advice of the North Carolina Department of Cultural Resources or other expert advice as it may deem necessary under the circumstances.~~

~~3. Compliance~~

- ~~— Compliance with the terms of a Certificate of Appropriateness shall be enforced by the Durham Inspections Department. Construction or other work which fails to comply with a Certificate of Appropriateness shall be a violation of the Zoning Ordinance. The discontinuance of work for a period of six months shall be considered a failure to comply with a Certificate of Appropriateness.~~

~~Nothing contained in this ordinance shall prohibit, impair or limit in any way the power of the City of Durham or Durham County to prevent the construction, reconstruction, alteration, restoration or removal of buildings, structures, appurtenant fixtures or outdoor signs in the historic district in violation of the provisions of this ordinance. The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.~~